



# AGENDA

FOR THE

ORDINARY MEETING OF COUNCIL

**1 MAY 2025**

# NOTICE OF MEETING

Dear Council Member,

The next Ordinary Meeting of Council will be held on Thursday, 1 May 2025 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5:00PM.

Regards,



J HALL  
**Acting Chief Executive Officer**

24/04/2025

## Our Mission

*"To deliver affordable and quality Local Government services."*

### DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions in section 5.25 of the *Local Government Act 1995* establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

*Should you require this document in an alternative format please contact us.*

Councillor Attendance Register										
Councillor		Cr C Mitchell	Cr D Male	Cr S Cooper	Cr J Lewis	Cr J Marnid	Cr P Matsumoto	Cr E Smith	Cr P Taylor	Cr M Virgo
2024	28 March	E								
2024	24 April	E								
2024	30 May					A		LOA		
2024	27 June		LOA							
2024	25 July			LOA						
2024	29 August									
2024	19 September									
2024	31 October					LOA				
2024	21 November (Meeting Cancelled)									
2024	12 December				LOA				A	
2025	27 February							LOA	LOA	
2025	27 March					E				

- **LOA (Leave of Absence)**
- **A (Apologies)**
- **E (Attended Electronically)**
- **NA (Non-Attendance)**
- **R (Resignation)**

### 2.25. Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
  - (a) a meeting that has concluded; or
  - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2-month period.
- (5A) If a council holds 3 or more ordinary meetings within a 2-month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.

**SHIRE OF BROOME**  
**ORDINARY MEETING OF COUNCIL**  
**THURSDAY 1 MAY 2025**  
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**1. OFFICIAL OPENING**

**2. ATTENDANCE AND APOLOGIES**

**3. ANNOUNCEMENTS BY PRESIDENT**

**4. DECLARATIONS OF INTEREST**

**5. PUBLIC QUESTION TIME**

**6. APPLICATION FOR LEAVE OF ABSENCE**

**7. CONFIRMATION OF MINUTES**

**8. PRESENTATIONS / PETITIONS / DEPUTATIONS**

## 9. REPORTS FROM OFFICERS

### 9.1 PEOPLE

#### 9.1.1 REQUEST TO ENDORSE DRAFT PLACE MANAGEMENT PLAN FOR PUBLIC COMMENT

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	PLA94; CDE01
<b>AUTHOR:</b>	Place Activation & Engagement Coordinator
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Manager of Community Engagement and Projects
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

The draft Place Management Plan (2025–2029) has been developed in collaboration with key stakeholders to provide a comprehensive, place-based strategy for managing and activating the Town Beach, Cable Beach, and Chinatown precincts.

This report outlines the community engagement and consultation processes that informed the development of the proposed actions and seeks Council's endorsement to release the draft plan for a four-week public comment period.

## BACKGROUND

### *Previous Considerations*

EDAC 14 September 2017	Item 6.1
OMC 28 March 2019	Item 9.2.1
OMC 25 March 2021	Item 9.1.1

The Shire of Broome has previously developed Place Management Plans for the Chinatown and Town Beach precincts to guide their activation and ongoing management.

The Chinatown Place Management Plan was adopted by Council at the Ordinary Meeting of Council (OMC) on 28 March 2019. This plan provides a strategic framework for place activation, outlining key initiatives to encourage community use, support local business, and enhance the overall visitor experience in Chinatown.

The Town Beach Place Management Plan was adopted at the OMC on 25 March 2021. It takes a holistic, place-based approach to the governance and activation of the Town Beach precinct, aiming to balance community needs, recreational use, and cultural and environmental values.

At present, Cable Beach does not have a dedicated Place Management Plan. However, recent and ongoing infrastructure upgrades in this area have created a timely opportunity to establish a coordinated approach to its management and activation in alignment with the work already undertaken in Chinatown and Town Beach.

## COMMENT

Local governments are often seen as leaders in place management because of their role in maintaining and improving public spaces, organising community events, and supporting local businesses. The Shire of Broome has made substantial investments in key public precincts, including Town Beach, Chinatown, and, most recently, Cable Beach. The Shire's vision is to see these areas actively used and enjoyed by the local community, becoming vibrant, welcoming, and inclusive spaces for all.

Throughout the development and design of these precincts, the Shire has worked closely with key users and local community groups to ensure the final designs reflect community needs and encourage ongoing use. Community consultation has been central to shaping these public spaces and will continue to guide their activation.

To support this vision, a draft Place Management Plan (the Plan) has been developed (**Attachment 1**). The Plan outlines a coordinated approach to managing and activating Town Beach, Cable Beach, and Chinatown, building on previous planning efforts and community feedback. Importantly, all actions included in the draft Plan have been assessed to ensure they are practical, achievable, and can be delivered using existing Shire resources.

As part of this process, Shire officers have reviewed all actions from the existing Chinatown and Town Beach Place Management Plans and ensured that, where relevant, key initiatives have been carried forward into the new draft Plan.

The draft Plan draws upon several previous strategic documents, including:

- Identifying Opportunities for Events in Broome (2017)
- Chinatown Place Management Plan (2019)
- Town Beach Place Management Plan (2021–2025)

Key achievements from these earlier plans include:

- Supporting local activation efforts through the Community Sponsorship Program
- Developing engaging content for the Explore Broome app
- Partnering with the Chamber of Commerce to deliver events such as Chinatown's Ladies Night
- Working with WA Police and Kullarri Patrol to address anti-social behaviour
- Supporting the Broome Stallholders Association to activate the new Town Beach market space
- Coordinating a major events calendar with local event organisers
- Delivering place activation activities such as street performances, outdoor yoga, and family-friendly programs
- Hosting events like Youth Week, Reconciliation Week, and Community Christmas celebrations in key precincts
- The new draft Plan builds on these foundations and aims to strengthen community connection and identity across all three precincts through place-based initiatives and meaningful collaboration.

This report seeks Council's endorsement to release the draft Place Management Plan for a four-week public comment period. Following the community consultation phase, a final version of the Plan will be presented to Council for adoption at the July 2025 Ordinary Meeting of Council (OMC).

## **CONSULTATION**



A Community Engagement Plan was prepared prior to the development of the draft Place Management Plan to facilitate meaningful collaboration with key stakeholders, including residents, community groups, local businesses, and relevant organisations. This engagement aimed to build a deeper understanding of the community's needs, aspirations, and opportunities for place activation across the Shire (**Attachment 2**).

Informed by this consultation, the draft Plan outlines a comprehensive, place-based strategy for the ongoing management and activation of the Town Beach, Cable Beach, and Chinatown precincts.

The following engagement methods and community feedback has shaped the actions in the draft Plan.

### **Shire of Broome Community Scorecard (2024)**

The 2024 Community Scorecard survey captured valuable insights into local views on events and community priorities. Shire officers have reviewed the feedback in detail and incorporated relevant actions into the draft Plan in response to the community's input.

### **Post-Event Surveys**

Over the past twelve months, the Shire has collected feedback following the delivery of Shire community events. This input has played a key role in shaping the actions and initiatives included in the draft Plan, ensuring they reflect community needs and preferences.

### **Stakeholder consultation**

Key stakeholders provided input via online surveys and face-to-face meetings, highlighting opportunities for place activation in the Shire's key precincts.

The following organisations were engaged in the consultation:

- Shinju Matsuri
- Broome Lotteries House
- Broome CIRCLE
- Broome Pride
- Nirrumbuk Aboriginal Corporation
- Broome Chamber of Commerce and Industry
- SKUTTA Kimberley Aboriginal Fashion Textiles Art
- Broome Stallholders Association
- Town Beach Parkrun
- Funergy

### **Internal consultation**

The following Shire departments have been consulted on the draft Plan to gather input on better supporting stakeholders' needs and improving processes:

- Place Activation Team – Responsible for delivering events in Broome.
- Health Department – Oversees event permits.
- Customer Service – Manages booking inquiries and operates the online event booking system, Space2Co.
- Infrastructure – Responsible for assets, as well as power and water access.
- Parks and Gardens – Maintains reserves and manages reticulation mark-outs.

Shire officers are seeking Council's endorsement to release the draft Plan (**Attachment 1**) for a four-week public comment period (5 May - 1 June 2025). This will enable officers to promote the draft Plan widely and invite feedback from the broader community to help shape the final version.

During the public comment period, the draft Plan will be made available on the Shire's website and shared through the Shire's social media platforms to ensure broad reach. In addition, Shire officers will host community engagement stalls at various locations to raise awareness of the draft Plan, answer questions, and encourage residents and stakeholders to provide feedback.

The Shire will also undertake targeted consultation by reaching out directly to key stakeholders. This will include scheduling one-on-one meetings during the public comment period to ensure those with a specific interest or expertise are given the opportunity to provide detailed input on the draft Plan.

### **STATUTORY ENVIRONMENT**

Nil.

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

Nil.

### **RISK**

Nil.

### **STRATEGIC ASPIRATIONS**

**People - We will continue to enjoy Broome-time, our special way of life. It's bursting with energy, inclusive, safe and healthy, for everyone**

#### ***Outcome 3 - A healthy, active community***

**Objective** 3.2 Improve access to sport, leisure and recreation facilities, services and programs.

### **VOTING REQUIREMENTS**

*Simple Majority*

#### REPORT RECOMMENDATION:

*That Council:*

- 1. Endorses the release of the Draft Place Management Plan (2025–2029) for public comment for a four (4) week period; and*

2. *Requests the Chief Executive Officer present the final Place Management Plan (2025–2029) for Council consideration of adoption at the July Ordinary Meeting of Council.*

**Attachments**

1. Attachment 1 - Draft Place Management Plan 2025 - 2029
2. Attachment 2 - Community Engagement Plan

# Place Management Plan

Shire of Broome | 2025 – 2029



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## Our vision

The Shire of Broome's vision  
**a future for everyone**

encompasses the creation of vibrant, accessible spaces for people of all ages, backgrounds, and abilities.

Through its Place Management approach, the Shire aims to activate public spaces with events and initiatives that promote inclusivity, creativity, and community well-being.



## Place Management Plan (2025 – 2029)

Improving a place's functionality often centres on design and infrastructure, following the belief that 'if you build it, they will come.' However, equally important are strategies that activate public spaces through events and engagement.

Local governments are frequently regarded as leaders in place management, given their responsibility for maintaining and upgrading public spaces, organising community events, and supporting local businesses.

Successful place management relies on the active collaboration of diverse stakeholders in both the design and implementation of initiatives.

The Place Management Plan, developed in consultation with key stakeholders, provides a comprehensive, place-based strategy for managing and activating the Town Beach, Cable Beach, and Chinatown precincts, while also supporting the activation of other areas.

This plan has been influenced by the actions outlined in the Chinatown Place Management Plan (2019) and the Town Beach Plan (2021), which have strategically guided the Shire's place activation efforts over the past few years.



Shire of Broome Place Management Plan 2025-2029

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## Community engagement



- Shire of Broome Community Scorecard (2024): This community survey provided valuable insights into community perspectives on community events and priorities. Shire officers have carefully reviewed the feedback and formulated relevant actions in response.
- Post-Event Surveys: The Shire actively gathers community feedback after the delivery of Shire events. Input collected over twelve months has directly influenced the development of actions within the Plan.

## Stakeholder Consultation



Key stakeholders provided input via online surveys and face-to-face meetings, highlighting opportunities for place activation in the Shire's key precincts. This feedback informed the development of actions to support and enhance community events and activations.

The following organisations were engaged in the consultation:

- Shinju Matsuri
- Broome Lotteries House
- Broome CIRCLE
- Broome Pride
- Nirrumbuk Aboriginal Corporation
- Broome Chamber of Commerce and Industry
- SKUTTA Kimberley Aboriginal Fashion Textiles Art
- Broome Stallholders Association
- Funergy
- Broome Park Run





































## 9.2 PLACE

### 9.2.1 PETITION - BROOME PUBLIC LIBRARY

<b>LOCATION/ADDRESS:</b>	Broome Public Library, Hamersley Street Broome WA 6725
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	GOC33
<b>AUTHOR:</b>	Librarian
<b>CONTRIBUTOR/S:</b>	Acting Director Corporate Services
<b>RESPONSIBLE OFFICER:</b>	Acting Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

A petition requesting that Council support "a new library for Broome", was presented at the 12 December 2024 Ordinary Meeting of Council.

#### BACKGROUND

The petition presented the statement "We want a new library for Broome by 2029!" and listed 311 signatures.

The preamble to the petition stated: "We residents of Broome request the Shire of Broome Honour the motion, which passed UNANIMOUSLY (Thursday 15th February 2024) at the Annual Electors Meeting to build a new library as a priority project in the '2025-26 Business Plan'. The Current library is too small to meet the needs of the community. Modern libraries are a community hub and resource centre. They incorporate meeting rooms, dedicated teen areas, audio visual rooms, quiet rooms, study rooms, plenty of computers, archival space, crafting and gaming areas. Libraries are no longer only books!"

In summary, the petition requests Council to support and prioritise the development of a new library facility as a priority project in the review of the 2025 - 2035 Council Plan citing overwhelming local community support for a new modern library that meets the needs of the community.

#### Public Questions and Petition

At the 12 December 2024 OMC a public question was submitted by Nancy Kennedy regarding item 9.4.2 – Council Plan 2025 – 2035. Details are shown below.

**The following questions were submitted by Nancy Kennedy regarding Item 9.4.2 Council Plan 2025 – 2035 prior to the meeting:**

**Question One (1)**

This is relating to Agenda item 9.4.2 and within the "Plan for the Future 25-35" point 4.1.5 - Can you please let us know when/what year, a proposal for the library upgrade was first discussed at Council?

**Answer provided by Director Corporate Services**

Council first included action 1.2.4.3 Develop a Library Feasibility Business Case in the 2020 – 2024 Corporate Business Plan. The project was timed to occur in the 2023-24 financial year.

The action has been included in each subsequent version of the Corporate Business Plan although the timing for delivery has been amended over the years due to resourcing considerations. As you have mentioned, action 4.1.5 in the Draft Council Plan tabled tonight identifies the delivery of a feasibility study to upgrade or relocate the Broome Library in Financial Year 2026/27.

The timing of action 4.1.5 is reliant on the completion of action 6.2.2, Develop a Male Oval Precinct Masterplan, which is scheduled to occur in Financial Year 2025/26. The finalisation of the Male Oval Precinct Masterplan is required to ensure any potential relocation of the Library is properly considered from a planning perspective.

**Question two (2)**

Can Council provide some sort of clear indication as to when an upgrade may actually happen as it is currently listed on the plan as sometime in the future after 2029?

**Answer provided by Director Corporate Services**

Action 4.1.5 in the Draft 2025-35 Council Plan includes an allocation of \$350,000 in 2028/29 to undertake detailed design and tender package development, pending the outcomes of the 2026/27 Library Feasibility Study. Council's Draft Long Term Financial Plan, which is a key strategy informing the Draft Council Plan, includes an allocation in 2030-31 for the construction of a new Library.

At the same 12 December 2024 OMC, the petition was tabled by Nancy Kennedy requesting Council to consider building a new library as a priority project in the '2025-26 Business Plan'. It was stated that an agenda item relating to the petition would be prepared and tabled at a future OMC in early 2025. With the April OMC scheduled on 1 May 2025 due to Easter and ANZAC Day public holidays, this report is in response to that petition.

In the months following the submission of the petition, members from the Broome community attended the Annual Electors Meeting on 6 February 2025. Electors presented a motion (Minute No. /0225/005) regarding the upgrade of the library facility.

**ELECTOR MOTION 3: Michelle Teoh****ELECTOR MOTION 1:****Moved: M Teoh****Minute No. /0225/003****Seconded: L Westlake**

***That the feasibility study to upgrade the Broome Library considers all possible locations within the Broome townsite and as part of that process the Shire consultants undertake true and sincere consultation with all community members and organisations who use the facility and the findings from which are sincerely considered by the Council when making a final transparent decision on location here.***

**CARRIED UNANIMOUSLY**

The response was provided by the Director Corporate Services at the 27 March 2025 OMC, as shown below:

**COMMENT**

The Shire acknowledges the vital role of the Broome Public Library as a welcoming, safe, and inclusive space for people of all ages, cultures, and backgrounds. The library is a valued community asset, and its future is an important consideration for the Shire.

In Western Australia, public libraries are a partnership between the State Government and Local Government Authorities (LGAs). LGAs provide the library building, technology, staffing, and operational funding, while the State Government contributes funding for books and digital resources.

**Library Feasibility Study**

Exploring potential locations for a new library is a key action (4.1.2) in the Shire's Corporate Business Plan 2023–2027. Funding for a Feasibility Study will be considered in the 2026/27 annual budget alongside other priorities. This study will assess community needs, potential co-location opportunities, and design principles focused on shared use, flexibility, and multi-purpose functionality.

The study will involve genuine and inclusive consultation with community members, library users, key stakeholders, and library staff. The goal is to ensure that any future library location aligns with community expectations and delivers a modern, accessible, and fit-for-purpose facility.

**Timeline and Strategic Planning**

- 2026/27: Budget allocation for detailed design and tender documentation (subject to funding).
- 2032/33: Construction of a new library (subject to funding).

The potential relocation of the library has been a longstanding Council consideration, reflected in previous planning documents such as the:

- Old Broome Development Strategy, which proposes relocating the library to Chinatown and repurposing the current building for expanded Shire offices.
- Chinatown Development Strategy, which identifies Short Street as a potential library site.



Both documents were progressed with significant community engagement and finalised following a formal public submission process.

In the first instance, a Male Oval Masterplan has been proposed to assess the feasibility of locating the library in the Male Oval Precinct.

### **Commitment to Community Consultation**

The Shire understands that not all community members may agree with previous planning outcomes. However, no final decision has been made on the library's location. The Male Oval masterplan process and subsequent library feasibility study will ensure a thorough, fair, and transparent process, with community input at its core.

The resulting resolution for this Elector motion was passed at the 27 March 2025 OMC as follows:

<b><u>COUNCIL RESOLUTION Elector Motion 3 – Michelle Teoh</u></b>	
<b>(REPORT RECOMMENDATION)</b>	<b>Minute No. C/0325/037</b>
<b>Moved: Cr D Male</b>	<b>Seconded: Cr M Virgo</b>
<b>That Council:</b>	
<ol style="list-style-type: none"> <li><b>1. Notes the Elector Motion;</b></li> <li><b>2. Recognise the vital role libraries play in supporting the community;</b></li> <li><b>3. Notes Council's endorsed Old Broome Development Strategy and Chinatown Development Strategy; and</b></li> <li><b>4. Incorporate a comprehensive Community Engagement Plan into the project planning phase for both Male Oval and the Library Feasibility Study to ensure meaningful consultation.</b></li> </ol>	
<b>Voting</b>	
<b>For the Motion:</b>	<b>Shire President C Mitchell, Cr D Male, Cr S Cooper, Cr J Mamid, Cr P Matsumoto, Cr E Smith, Cr P Taylor and Cr M Virgo.</b>
<b>Against the Motion:</b>	<b>Cr J Lewis.</b>
<b>CARRIED 8/1</b>	

### **COMMENT/RESPONSE**

The Shire would like to thank Nancy Kennedy for the petition submitted on 5 December 2024, and acknowledge the effort taken in collecting the 311 signatures on behalf of the Broome Community.

The Broome Public Library remains in the top five performing services of the Shire of Broome, as indicated in the biannual Community Scorecard, with a 76 (out of 100) Performance Index Score in the 2024 survey.

As stated in previous responses, a new library facility has been an aspirational project of the Shire for a number of years, and has been identified as a potential project across several strategies.

The relocation of the Library to Chinatown was first identified in the Chinatown Development Strategy which was adopted by Council in February 2013. A specific site was not identified, although it was mentioned that a site which addressed Short Street as one of the principal entries into Chinatown may be appropriate.

A new library facility was next identified in the Old Broome Development Strategy 2014 with more of a focus on location.

### 4.3 Community Facilities

#### 4.3.4 Actions

4.3.4 5. Relocate the Municipal Library to Chinatown near the Visitors' Centre (Refer to element 5 on Concept Plan).

4.3.4 6. Extend the Shire Administration offices to incorporate the existing Library building once the new library has been constructed.

### 5.2 Foreshore Concept Plan Elements

5. Municipal Library Relocation It is intended a new municipal library will be constructed in Chinatown near the Visitors' Centre. When this takes place, there will be an opportunity for the current library to be incorporated into the main Shire Administration building to allow all office staff to be accommodated in the same building. This will free up the site currently occupied by the Shire's Technical Services staff (corner Weld and Barker Streets) for potential infill development for an appropriate use.

At the 12 December 2024 OMC, Council resolved to adopt the Shire of Broome Council Plan 2025-2035. Within that plan, the priority action is outlined for the construction of a new library facility.

A feasibility study scheduled for 2026/27 will inform the detailed design of a new facility in 2028/29, with construction indicated after 2029.

Our strategic initiatives								
Priority actions		Linked strategies	Service Team	25/26	26/27	27/28	28/29	Future
4.1.1	Implement the Arts and Culture Strategy and Action Plan 2023-2028.	Arts and Culture Strategy and Action Plan 2023-2028	Place Activation and Engagement	o	o	o	o	
4.1.2	Advocate for Nyamba Buru Yawuru to build the Kimberley Centre for Art, Culture and Story.	Arts and Culture Strategy and Action Plan 2023-2028	Office of CEO	•	•	•		
4.1.3	Partner with Nyamba Buru Yawuru to develop Wanggajarli Burugun Memorial Resting Place.		Infrastructure; Special Projects	•	•			
4.1.4	Fund a business case and detailed design to upgrade and develop the Broome Museum and adjacent lands.	Old Broome Development Strategy	Special Projects		\$350k			
4.1.5	Complete a feasibility study to upgrade or relocate Broome Library and, dependent on outcomes, complete detailed design and construction.	Old Broome Development Strategy	Special Projects		\$100k		\$350k	\$6M

The Male Oval Precinct Masterplan, scheduled for the 2025/26 financial year in the Council Plan, will be important for future decision making in terms of the potential location of a new library facility in Chinatown. It is noted that at this time, the undertaking of the Male Oval Masterplan process is being considered by Council for inclusion in the 2025/26 annual budget process.

Officers acknowledge that the current timeframe for construction does not meet the request of the petition, and is largely due to the competing priorities of a number of significant capital projects that have also been identified as priorities by the community and Council. These projects are considered well developed/progressed in the planning process, and include the Cable Beach Foreshore Redevelopment, the Broome Recreation Aquatic Centre (BRAC) Redevelopment and the Regional Resource Recovery Park.

Therefore, officers recommend that the feasibility, design and construction of the upgraded/relocated Broome Public Library remain scheduled as per the Council Plan 2025 – 2035 adopted at the 12 December 2024 OMC.

**CONSULTATION**

Nil.

**STATUTORY ENVIRONMENT**

*Shire of Broome Meeting Procedures Local Law 2020*

Clause 6.10 – Petitions

The petition was signed by 311 electors.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The long term financial plan allocates the following amounts in relation to the new library (subject to funding):

<b>Description</b>	<b>Allocation</b>
Feasibility to upgrade or relocate Broome Public Library	\$100,000
Detailed design	\$350,000
Construction	\$6,000,000

**RISK**

The petition asks for a new library facility by 2029. The Shire of Broome Council Plan 2025-2035 indicate funding for the feasibility study (2026/27), detailed design (2028/29) and Future allocation for construction, which will not meet the expectations of the petitioners.

**STRATEGIC ASPIRATIONS**

**People - We will continue to enjoy Broome-time, our special way of life. It's bursting with energy, inclusive, safe and healthy, for everyone**

**Outcome 4 - An inclusive community that celebrates culture, equality and diversity**

**Objective** 4.2 Align services to meet diverse community needs.

**VOTING REQUIREMENTS**

*Simple Majority*

REPORT RECOMMENDATION:  
  
That Council:

1. Acknowledges receipt of the petition from Nancy Kennedy; and
2. Confirms the inclusion of the Broome Public Library upgrades or relocation in the Shire of Broome Council Plan 2025 - 2035 and the long term financial plan.

**Attachments**

1. Petition - Broome Public Library (*Confidential to Councillors and Directors Only*)  
***This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)(b) as it contains “the personal affairs of any person”.***

**9.2.2 LANDFILL CLOSURE MANAGEMENT PLAN (2025)**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	RES 48013.3
<b>AUTHOR:</b>	Manager Waste Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Acting Director Infrastructure Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

The Shire operates the Buckleys Road Waste Management Facility and landfill in accordance with the facility Landfill Closure Management Plan (LCMP). The Shire has reviewed the utilisation of the landfill and has updated the LCMP to reflect the rate of utilisation and the remaining useful life of the landfill.

This report recommends that Council adopts the LCMP (2025) for the Buckleys Road Waste Management Facility.

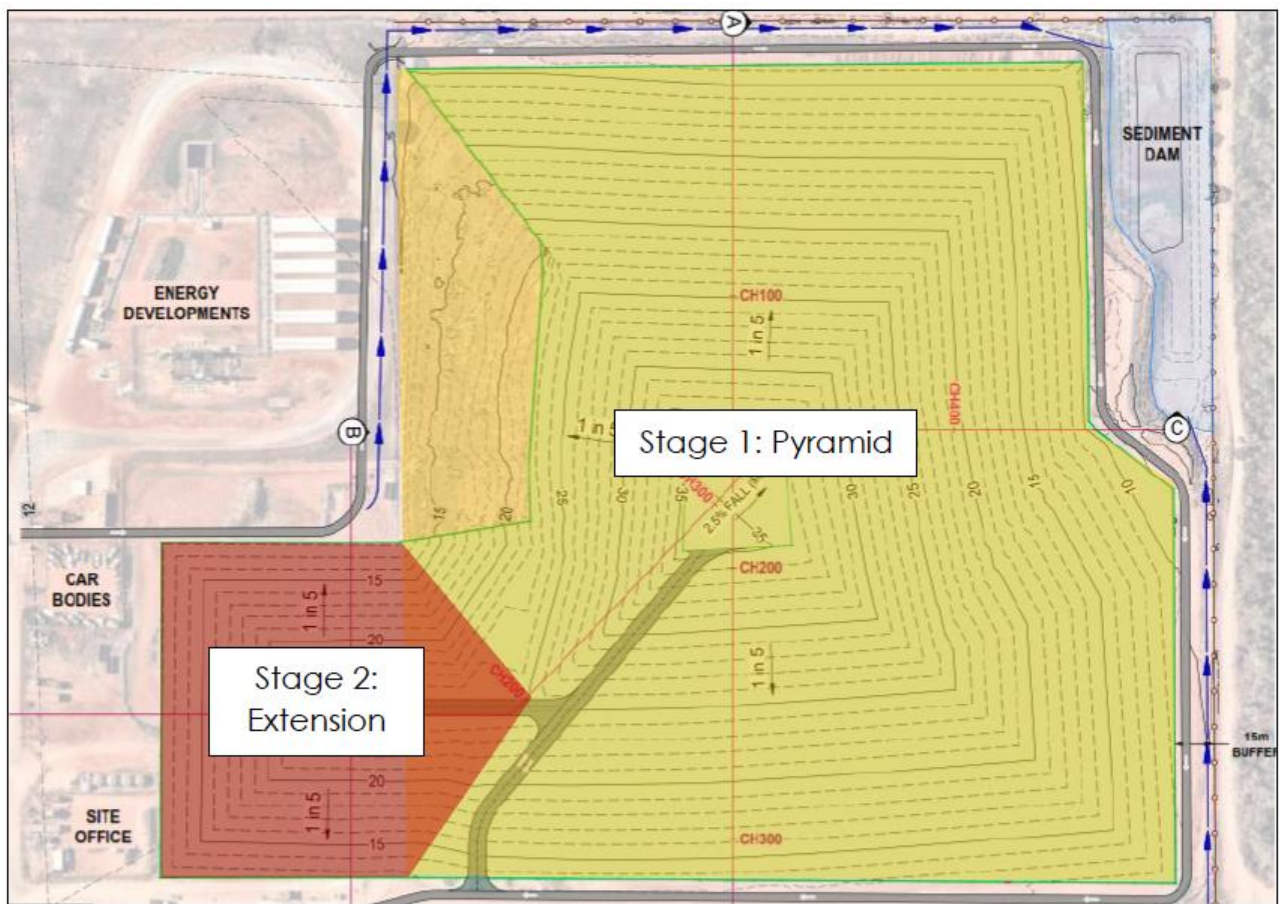
**BACKGROUND***Previous Considerations*

OMC 18 July 2013	Item 9.3.1
OMC 25 March 2021	Item 9.2.2
OMC 29 June 2023	Item 9.2.1

In late 2018, it was identified through the quarterly volumetric surveys that the space within the existing landfill could expire in 2020. In 2019, ASK Waste Management Consultancy Services were engaged to undertake a review of the landfills remaining life expectancy and to identify potential contingency measures to increase the useful life of the landfill.

As a result of the review, a submission by the Shire to the Department of Water and Environmental Regulation (DWER) for an amendment to the landfill licence was requested and granted. This change to the license extended the life of the existing landfill until July 2024. The amendment to the licence allowed an increase to the landfill footprint by extending the toe and increasing the angle of the landfill's slopes.

Additionally, ASK Waste Management Consultancy Services identified a contingency area, being the current transfer station area, that would extend the landfill's useful life to the end of 2025. The area is highlighted in the image below as "Stage 2: Extension".



The changes to the license and addition of the contingency area informed an update to the LCMP (2021), which was endorsed by Council at the OMC held 25 March 2021.

Improvements to operational practices and the approach to progressive capping informed an update to the LCMP (2023), which was endorsed by Council at the OMC held 29 June 2023.

Continual improvements to facility operations and a focus on 'Best Practice' operations in addition to the Shires approach to progressive capping of the waste body, have been reflected in the updated Landfill Closure Management Plan 2025. The 2025 revision provides updated climatic data and an operational life project based on the last two years of landfill survey data. A timeline of the events is depicted in the table below.

Table 1 - Shire of Broome LCMP timeline.

Date	Activity
2012	LCMP written for the Buckley's Road Landfill Facility by ASK Waste Management Consultancy Services and approved by DWER.
2013	The LCMP (2012) was endorsed by Council.
2014	Changes to landfill closing requirements and review of the remaining life of the landfill prompted a review of the Landfill Closure Management Plan (2012).
Early 2019	ASK Waste Management Consultancy Services were engaged to undertake a review of the landfills remaining life expectancy and to identify potential contingency measures to increase the useful life of the landfill

Late 2019	A landfill license amendment was submitted to DWER to increase the capacity of the landfill.
2020-21	ASK Waste Management Consultancy Services were engaged to update the LCMP (2012) to include the incorporated changes from the licence amendment, the contingency area and updated closure cost estimates.
March 2021	The LCMP (2021) was endorsed by Council.
October 2022	ASK Waste Management Consultancy Services were engaged to update the LCMP to reflect the continual improvements to operations and to reflect the rate of utilisation and the remaining life of the landfill.
June 2023	The LCMP (2023) was endorsed by Council.
December 2024	Ask Waste Management Consultancy Services were engaged to update the LCMP to reflect the rate of utilisation and the remaining life of the landfill.

## COMMENT

The LCMP guides the best practice closure of the Buckleys Road Waste Management Facility. The LCMP has been produced to achieve the following objectives:

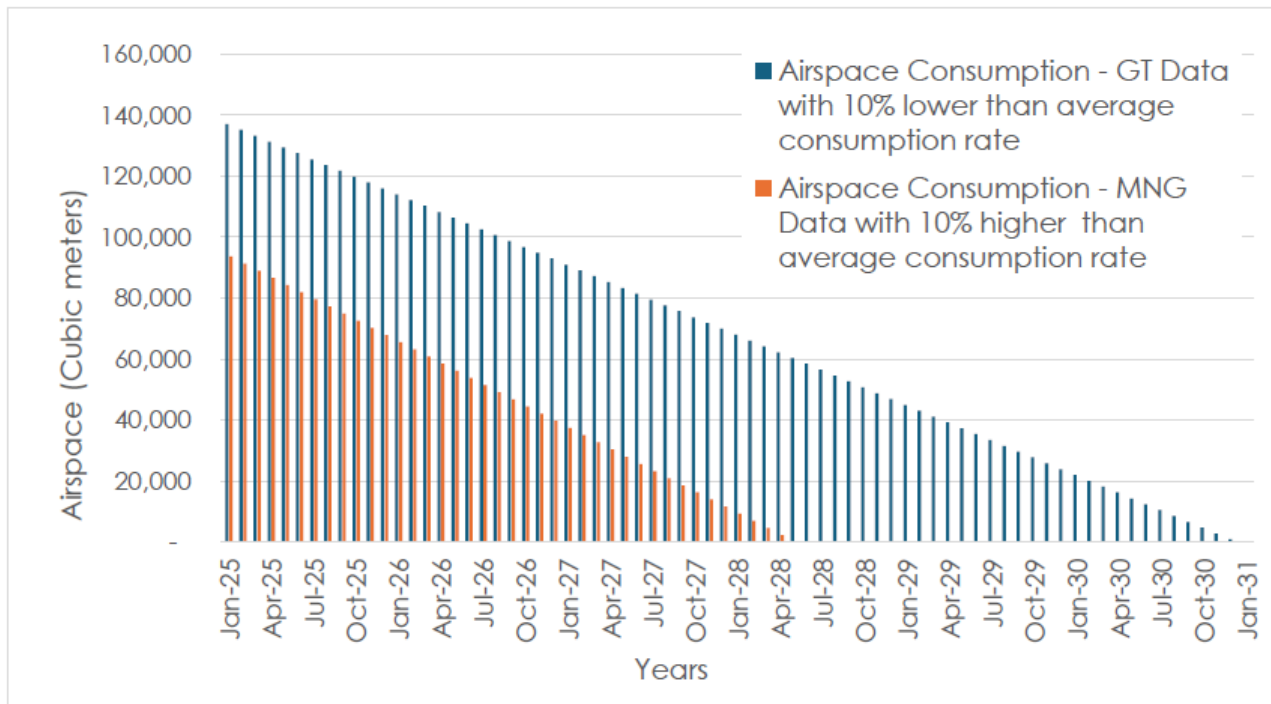
- Develop final contours and landform designs for the landfill that are stable and meet best practice guidelines and can be used to guide landfilling operations and site works going forward.
- Develop a landfill cap design that will provide a physical barrier between waste and the environment and restrict the infiltration of rainwater in the waste mass and minimise the production of leachate.
- Develop a stormwater management design that minimises leachate generation and controls the release of stormwater for the Facility.
- Develop an appropriate landfill gas management system to control the generation of landfill gases and reduce any significant risk of adversely impacting the surrounding environment.
- Develop a post closure management and monitoring program that can be implemented to ensure that environmental impacts are minimised after the landfill cells are closed and rehabilitated.
- Provide a bill of quantities and cost estimates for the closure and rehabilitation works that the Shire can use to budget future liabilities.

The annual waste quantities accepted, recycled and landfilled at the facility have fluctuated from year to year, with the revised operational life projection being based on the most recent two years of landfill survey data. This period included several large projects which inflated volumes compared to previous years.

The average waste compaction rate during this period is 1.29 tonnes per cubic metre, which is considered high for a landfill of this size. Two scenarios have been modelled for the airspace consumption projections;

1. 'best case scenario' where 10% less waste is received, better compaction and less over material soil is used. Under these conditions the landfill space could be exhausted by January 2031.
2. 'worst case scenario' assumes 10% more consumption, more waste, poorer compaction and more cover soil used. Under these conditions the land fill space could be exhausted by May 2028.

The estimated airspace consumption over the remaining operation life of landfill is shown below. 'Best case scenario' depicted in blue and the 'worst case scenario' depicted in orange.



While updating the LCMP and re-running the landfill gas (LFG) modelling using the latest complete climatic data from the Broome Airport weather station, the LFG generation rates have decreased. The lower LFG generation rates estimated by the model suggest that the complexity of the LFG infrastructure could be reduced from a system with cowling vent to bio cover capping and biofilters. If DWER approves a biofilter cap design, the capital costs to install a biofilter would be significantly lower.

**CONSULTATION**

Ask Waste Management provided consultancy services to review and update the LCMP.

All volumetric surveys are undertaken by third party quality assured surveyors.

**STATUTORY ENVIRONMENT**

**Environmental Protection (Rural Landfill) Regulations 2002**

17. Post-closure plan

- (1) *the occupier of a landfill site must prepare and submit to the Chief Executive Officer for approval a post-closure rehabilitation plan, in accordance with sub regulation (2), for the site within 18 months of the site being registered under regulation 5B of the Environmental Protection Regulations 1987.*

Penalty:\$5,000.

- (2) *A post-closure rehabilitation plan is to set out a plan for the rehabilitation of the site after it has ceased to be a landfill site and is to specify –*
  - (a) *options for the use of the site after it has ceased to be a landfill site, and is to specify the preferred option;*



- (b) a conceptual design of the infrastructure needed for the preferred option for the use of the site after it has ceased to be a landfill site;
- (c) the estimated final contours of the site, after allowing for settlement, and specifying to what extent settlement has been allowed for;
- (d) the capping materials proposed to be used on the site;
- (e) a proposed system of drainage of the site;
- (f) measures proposed for the protection of the environment and the monitoring of the site; and
- (g) the estimated period for which the site will require protection and monitoring.

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

All operational and capital costs associated with the landfill are funded via the income generated from waste fees and charges.

The LCMP (2025) has been amended to reflect the improved operational activities and the ongoing estimated costs associated with closure and the post closure monitoring of the site.

The LCMP (2025) recognises the landfill closure that has been undertaken to date and forecasts the remaining capital expenditure required. A summary of the LCMP 2025 compared to the LCMP 2023 is provided below:

Description	2023 Total (Rounded)	2025 Total (Rounded)
Stormwater	\$ 22,500	\$ 36,000
Capping	\$ 2,396,000	\$ 1,918,000
Perimeter Road	\$ 98,500	\$ 112,000
Post Closure Monitoring	\$ 460,000	\$ 687,000
Professional Fees	\$ 175,000	\$ 216,000
Contingency	\$ 380,000	\$ 297,000
<b>Total</b>	<b>\$ 3,500,000</b>	<b>\$ 3,266,000</b>

The Refuse Site Reserve has a current balance of \$2,261,492 which is considered adequate to cover the Capital Expenditure requirements for closure and post closure. This recognises that some of the pindan cover material will be provided at no cost from either the new Regional Resource Recovery Park development or as clean fill received via the gate. The plant and labour costs are internal costs allocated through the resource-based budget and not a cash requirement.

It should be highlighted that the Shire is required to monitor the Buckley's Road site for 30 years after closure. Operational funding for the 30-year period is estimated at \$687,000 or \$22,900 excl. GST per annum.

These breakdown of the tasks and costs for Post Closure Monitoring are summarised below.

Parameter	2023 Total Cost	2025 Total Cost
Weed spraying	nil	\$ 135,000
Removal of infrastructure (gate house etc)	nil	\$ 16,000

Surface water monitoring (sediment ponds)	\$ 30,000	\$ 10,000
LFG Monitoring infuse	\$ 15,000	\$ 26,000
Landfill cap monitoring	\$ 15,000	\$ 12,000
Landfill cap maintenance (contingency)	\$ 150,000	\$ 152,000
groundwater monitoring - Years 1-5 (six monthly)	\$ 130,000	\$ 96,000
groundwater monitoring - Years 6-25 (annually)	\$ 120,000	\$ 240,000
<b>Total</b>	<b>\$ 460,000</b>	<b>\$ 687,000</b>

**RISK**

There are risks associated with the closing of landfill. The risks are summarised alongside the control measures below;

<b>Risk</b>	<b>Type</b>	<b>Mitigation</b>
Assumptions for waste generation are conservative and landfill reaches capacity early	Service Interruption	Continued quarterly survey of the landfill and comparison to LCMP Design and approvals for the Regional Resource Recovery Park are completed, funding is allocated in the Long Term Financial Plan
Single unforeseen emergency generating large volumes of waste leading to faster landfill utilisation	Service Interruption	Continued quarterly survey of the landfill and comparison to LCMP Resource Recovery Park designs are completed, funding is allocated in the Long Term Financial Plan
Staff turnover and impact to landfill operations	Service Interruption Level of Service Reputational Financial	Staff training to incorporate best practice landfill techniques Operational Manuals to form part of staff onboarding process
Price escalation for materials and resources required to achieve LCMP	Financial Impact	Landfill is progressively capped, therefore minimal liability is carried forward. Capping material can be sourced
Progressive closure leads to congestion on site	Level of Service Safety	Waste Services team to monitor internal roads, tipping areas and turn around areas to ensure site user safety is maintained
Delayed opening of Community Recycling Centre at new Regional Resource Recovery Park	Service Interruption Level of Service	The design and works approvals for the Community Recycling Centre have been completed/obtained. Construction to occur prior to 'pyramid' capacity being reached

**STRATEGIC ASPIRATIONS**

**Place - We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.**

**Outcome 5 - Responsible management of natural resources**

**Objective** 5.3 Adopt and encourage sustainable practices.

**Actions** 5.3.5 **Facilitate** implementation of the Buckley's Rd Landfill Closure Management Plan

**VOTING REQUIREMENTS**

*Simple Majority*

**REPORT RECOMMENDATION:**

*That Council:*

1. *Adopts the Landfill Closure Management Plan (2025) as attached.*
2. *Requests the Chief Executive Officer to review the financial implications of the Landfill Closure Management Plan (2025) within the next review and update of the Shire's Long-Term Financial Plan.*
3. *Endorses the investigation into the viability and performance of a biofilter cap design for the use at the Buckleys Road Landfill as an alternative method to traditional landfill capping, and;*
4. *Requests the Chief Executive Officer to engage with relevant environmental consultants, engineers and regulatory bodies to review the biofilter design, materials, installation and maintenance.*

**Attachments**

1. Landfill Closure Management Plan (2025)





























































































































































































**9.2.3 KIMBERLEY 2050 CYCLING STRATEGY**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ENG04
<b>AUTHOR:</b>	Engineering Technical Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Acting Director Infrastructure Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

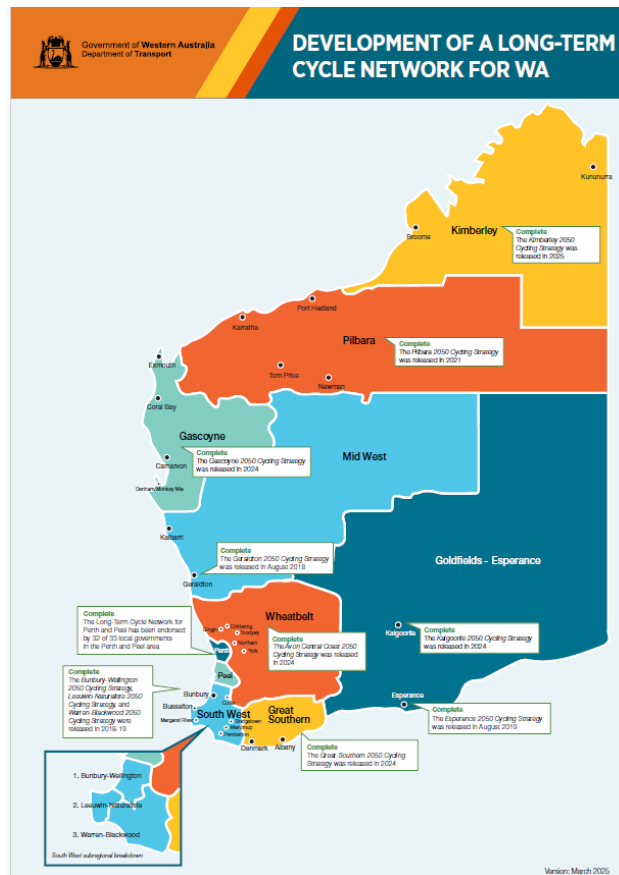
**SUMMARY:**

To create a long term-term vision for cycling in the Kimberley, the Department of Transport has prepared the Kimberley 2050 Cycling Strategy. Council is requested to endorse the principles of the Kimberley 2050 Cycling Strategy and note the proposed action plan for future budget and planning consideration.

**BACKGROUND**

*Previous Considerations*  
 OMC 27 March 2025

Item 9.2.4



**Figure 1:** Long-term cycling strategies in WA.

The Western Australia Bike Network (WABN) Plan 2014-2031 includes a key action to develop long term cycle strategies for Perth and Regional WA. The Department of Transport (DoT) identified the need for twelve long-term cycling strategies across WA, including eleven



Regional 2050 Cycling Strategies, as described in Figure 1. These strategies create a shared long-term vision for cycling in the regions and guide delivery of safe and interconnected bicycle networks, along with associated facilities and travel behaviour change initiatives.

Each strategy was developed in partnership with local governments and is informed by multiple phases of stakeholder and community consultation. Positioned as aspirational strategies to 2050, each strategy highlights opportunities to encourage bike riding for transport, recreation and tourism across the region and proposes networks for regional centres and their surrounding areas. The Kimberley 2050 Regional Strategy (the Strategy), is the final regional strategy to be completed across Western Australia.

As aspirational plans, it is recognised that regional local governments with constrained funding may not have the capacity to deliver the complete final networks. Beyond guiding available DoT grant funding, these strategies are also demonstrably effective in driving additional investment by opening additional funding sources and enabling local government(s) to build more of the network and deliver more local travel behaviour change initiatives.

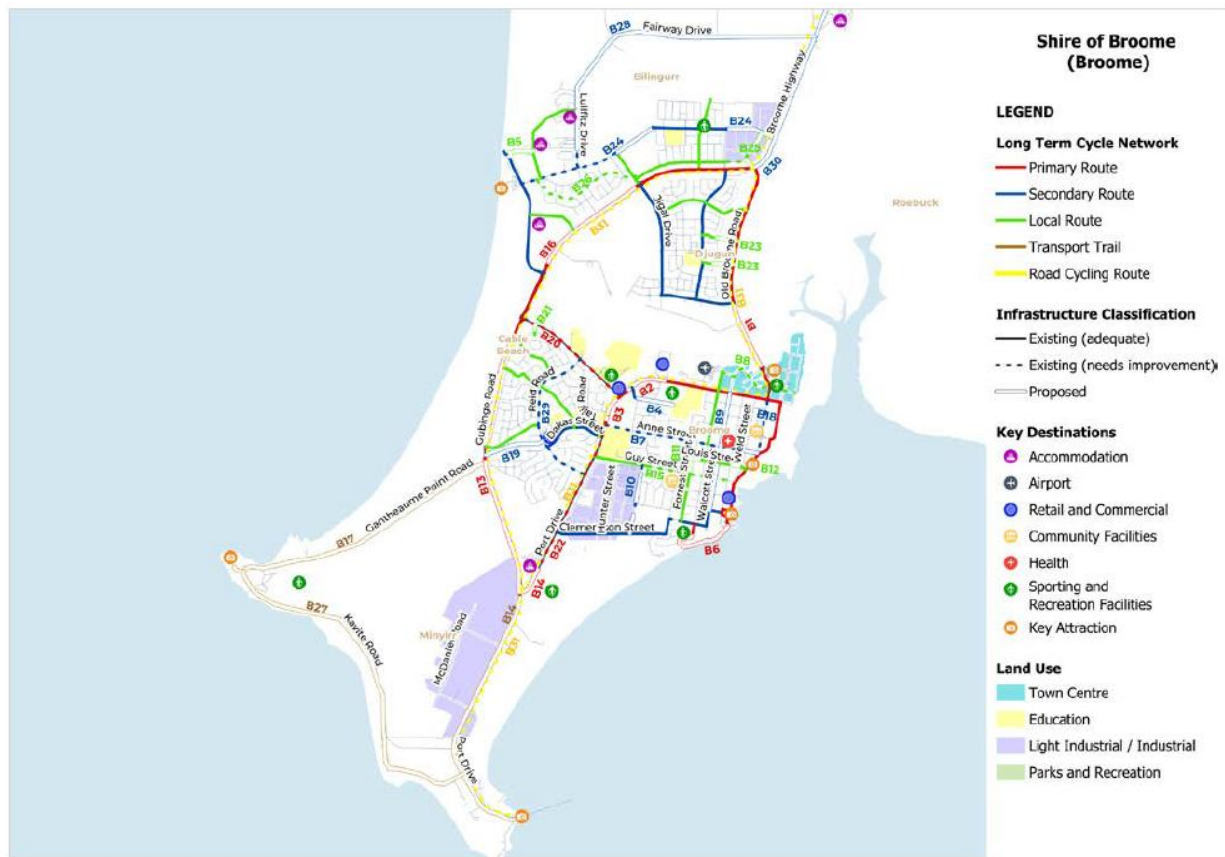
The Strategy provided in **Attachment 1**, is now being submitted to Council and DoT Executives for endorsement. Councils are invited to endorse the strategy as-is or provide in-principle support pending any requests for modifications.

The document is an aspirational vision for cycling across the region, with the action plan providing a guide for delivery. This long-term planning approach has now been endorsed by 32 metro LGs (through the Perth and Peel Long-Term Strategy) and all LGs with published regional strategies (including those in Warren-Blackwood, Leeuwin-Naturaliste, Bunbury-Wellington, Esperance, Geraldton, Pilbara, Avon and Central Coast, Great Southern, Kalgoorlie and Gascoyne regions).

The Strategy includes six central themes for cycling across the region, with key opportunities identified for each that highlight the potential for bike riding in and around the Kimberley region. Case studies are used to illustrate where similar outcomes have been achieved elsewhere. The themes include:

- Work with the Aboriginal community to celebrate Aboriginal culture, connect with Country and connect communities through riding.
- Connect to local places so it's easy to get there by bike, and promote riding.
- Design safe, comfortable and secure access for people of all ages and abilities.
- Improve access to own, maintain, hire and share bicycle equipment.
- Provide climate responsive infrastructure including shade, water and appropriate riding surfaces.
- Highlight the region's unique history and landmarks through cycle tourism, bike-packing and cycling for sport.

The Action Plan included in the Strategy prioritises the delivery of strategic infrastructure and initiatives and guide funding through DoT's current grants program or a future iteration, and other funding opportunities. Figure 2 provides a map of the outcomes of the Action Plan for the Broome Townsite.



**Figure 2:** Long-term Cycle Network – Shire of Broome Action Plan.

The following table provides a summary of the Regional and Shire of Broome specific projects in the Action Plan which are detailed further in Section 6 of Attachment 1.

Timing	Ref.	Project name
Ongoing	KIM1	Advocacy to facilitate long-distance bike riding opportunities
Ongoing	KIM2	Your Move program promotion and participation
Ongoing	KIM3	Co-design for safety and accessibility
Ongoing	KIM4	Bicycle network promotion and activation
Ongoing	KIM5	Bicycle network monitoring and evaluation
Ongoing	KIM6	Delivering universal accessibility across the region's path network
Ongoing	KIM7	Ongoing maintenance of the bicycle network
Ongoing	KIM8	Provide public bicycle parking
Ongoing	KIM9	Support the provision of end-of-trip facilities
Ongoing	KIM10	Improve transport choice for key user groups in the region
Ongoing	KIM11	Supporting recreational riding and cycling tourism
Short Term	KIM12	Engage with Traditional Owners as part of the region's bicycle network development
Short Term	KIM13	Lighting the way: Cycle route lighting audit
Med to Long Term	KIM14	Improving legibility of the riding network through wayfinding
Med to Long Term	KIM15	Kimberley Regional Trails Masterplan
Short Term	B1	Old Broome Rd – Sandpiper Ave to Short St
Short Term	B2	Frederick St – The Boulevard Shopping Centre to Jewell St
Short Term	B3	Frederick St – Taji Rd to Cable Beach Rd East
Short Term	B4	Connect Broome Senior High School
Short Term	B5	Camp School Path
Short Term	B6	Demco Foreshore Shared Path

Short Term	-	Gubinge Rd road crossing improvements (various locations)
Medium Term	B7	Anne St improvements
Medium Term	B8	Improve access to Broome Airport
Medium Term	B9	Provide north-south access on Walcott St
Medium Term	B10	Complete gaps on Pembroke Rd
Medium Term	B11	Forrest St improvements
Medium Term	B12	Louis St improvements
Long Term	B13	Gubinge Rd – Port Dr to De Marchi Rd
Long Term	B14	Connect Broome Port and Jetty
Long Term	B15	Guy St improvements
Long Term	B16	Gubinge Rd – Cable Beach Rd West to Fairway Dr
Long Term	B17	Connect Gantheaume Point
Long Term	B18	Hamersley St improvements
Long Term	B19	Connect Gantheaume Point
Long Term	B20	Cable Beach Rd East improvements
Long Term	B21	Improve access for residents to Cable Beach Rd East primary route
Long Term	B22	Port Dr improvements
Long Term	B23	Improve access for Djugun residents
Long Term	B24	East-west connectivity through Broome North and Cable Beach
Long Term	B25	Connect Broome North industrial precinct
Long Term	B26	East-west connectivity through Broome North and Cable Beach
Long Term	B27	Connect Broome's southern peninsula
Long Term	B28	Lullfitz Dr/Fairway Dr
Long Term	B29	Reid Rd improvements
Long Term	B30	Riding connectivity along Broome Hwy
Long Term	B31	Facilitate road cycling opportunities in Broome
Long Term	B32	Connect the Dampier Peninsula
Long Term	B33	Connect Bidyadanga

Once endorsed the Strategy will be published on the DoT website. The document is maintained by DoT in partnership with all included local governments. The strategic priorities of the Strategy are proposed to be reviewed in 5 years and a full review of the strategy undertaken in 10 years.

DoT seek this endorsement to demonstrate region-wide collaboration on a shared vision, which will assist in leveraging and prioritising future funding. Once a long-term strategy is in place, all current WABN grants, and its future iteration, will be linked to them. Furthermore, these strategies have already been successful in gaining funding from Federal and commercial sources.

## COMMENT

Officers have reviewed the Strategy and sought feedback from Councillors. It is recommended that the Strategy is endorsed subject to the following minor amendment:

- Shire of Broome Long Term Action B31 to facilitate improvements to on road cycling in Broome is to be merged with the Ongoing Regional Priority Project KIM1 for the advocacy to facilitate long distance bike riding opportunities.

This amendment is requested to ensure the importance of improving the on road environment for road cycling in Broome and the Kimberley is being prioritised appropriately in reference to the discussion throughout the Strategy. A consolidation of the overlapping

actions shall provide simplicity, add weight and to ensure all relevant locations are appropriately prioritised as part of the same discussions.

Through existing informing strategies and plans, the Shire is currently committed to the majority of the short term and ongoing actions outlined in the Strategy through the Council Plan 2025-2035. Endorsement of the Strategy will reaffirm these commitments and be a valuable tool in applications for grant funding into the future. During the next review of the Council Plan, officers will ensure any missing actions from the Strategy are incorporated appropriately and existing actions updated to ensure alignment.

## **CONSULTATION**

Development of the Strategy, began in early 2024, with the Shires of Broome, Wyndham East Kimberley, Derby West Kimberley and Halls Creek, working in partnership with DoT.

Internal working groups for each local government provided input and guided the development of the document. These working groups included diverse representatives across engineering, works, planning, community development, community safety, communications, sustainability, tourism, and economic development.

Stakeholder input was sought and received from government and non-government organisations, including (but not limited to):

- the Department of Local Government, Sport and Cultural Industries (DLGSC),
- Planning, Lands and Heritage (DPLH),
- Biodiversity, Conservation and Attractions (DBCA),
- Main Roads Western Australia (Main Roads),
- Department of Water and Environmental Regulation (DWER),
- Tourism WA,
- WA Local Government Association (WALGA),
- Kimberley Development Commission (KDC) and
- WestCycle.

Successful connections included Nyamba Buru Yawuru, Emama Nguda; Winun Ngari; Mirima Aboriginal Corporations, and MG Corporation, whose input has helped to shape the opportunities in the strategy. Details of stakeholder consultation can be found in Appendix A of the Strategy.

WSP visited all key centres across the region to undertake initial scoping in mid 2024. A comprehensive review of relevant government and non-government policies and strategies was undertaken, alongside reviews of existing cycling networks, data analysis, and stakeholder meetings to discuss and identify opportunities for cycling across the region.

Information sheets and preliminary 2050 network maps for the project were used in community consultation. Information on the project was provided via the online My Say Transport engagement platform and in hard copy at drop-in sessions and Shire Administration Centres.

Feedback was gathered via direct comments provided at the community drop-in sessions, a survey, and interactive maps. Over 455 visits (including information downloaded) were made to the My Say Transport project page, with 126 people completing the survey between 01 June and 12 July in mid-2024 (93 online/33 hardcopy). Over 140 people attended the community drop-in sessions in early June 2024 and an additional 4 people attended the online Community forum in July 2024. See Appendix A of the Strategy for details.

## STATUTORY ENVIRONMENT

Nil.

## POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

Development of the Strategy was wholly funded by DoT but undertaken in partnership with relevant local governments.

Endorsement of the Kimberley 2050 Cycling Strategy does not commit Council nor State Government agencies to deliver all, or any part, of the Kimberley 2050 Cycling Strategy within a particular timeframe – nor does endorsement commit any party(s) to fund any specific route or initiative within the Strategy. Council endorsement confirms support for local and State Government agencies to work together in delivering the aspirational Kimberley 2050 Cycling Strategy over the longer term.

The Strategy shall be a valuable tool in applications for grant funding into the future. The WABN grants program is the State Government's primary funding source to local government for the planning, design, delivery and activation of active transport infrastructure and related initiatives. The Program is based on a joint funding model, with the State Government providing a co-contribution of up to 50 per cent of the total eligible project cost. The Shire has previously received \$402,000 of WABN grant funding for the Conti Foreshore Shared Path project. A further \$2.6 million of WABN grant funding has been secured for four projects from 2024/25 to 2027/28 as outlined in the 27 March OMC item 9.2.4. This will see Action Plan items B1, B2, B3, B5, B6 and B8 promptly addressed.

## RISK

Nil.

## STRATEGIC ASPIRATIONS

**Place - We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.**

***Outcome 6 - Responsible growth and development with respect for Broome's natural and built heritage***

**Objective** 6.3 Create attractive, sustainable streetscapes and green spaces.

***Outcome 7 - Safe, well connected, affordable transport options***

**Objective** 7.2 Provide safe, well connected paths and trails to encourage greater use of active transport.

## VOTING REQUIREMENTS

*Simple Majority*

**REPORT RECOMMENDATION:**

*That Council:*

1. *Endorses the principles of the Kimberley 2050 Cycling Strategy subject to the following amendment;  
(a) Shire of Broome Long Term Action B31 is to be merged with the Ongoing Regional Priority Project KIM1;. and*
2. *Requests the Chief Executive Officer to consider the Kimberley 2050 Cycling Strategy Action Plan in the next review of the Shire of Broome Council Plan.*

**Attachments**

1. Kimberley 2050 Cycling Strategy, Department of Transport











































































































































































































































**9.3 PROSPERITY**

**9.3.1 TOURISM ADMINISTRATION POLICY APPLICATION FOR FUNDING - CRUISE BROOME 2025/26**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	EC105
<b>AUTHOR:</b>	Economic Development Coordinator
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Development and Community
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**  
 This report presents an overview and recommendations for funding Cruise Broome through the Tourism Administration Policy.

**BACKGROUND**

Previous Considerations

OMC 29 April 2021	9.3.2
OMC16 December 2021	9.2.1
OMC 30 March 2023	9.3.2
OMC 24 April 2024	9.3.3
OMC 30 May 2024	9.3.1
OMC 12 December 2024	9.3.3

The Shire of Broome established the Tourism Administration Policy (**TAP**) to maximise the benefits derived from tourism while promoting coordinated efforts, infrastructure-sharing opportunities, and integration with other business sectors. The aim is to optimise economic and social benefits while minimising adverse impacts on the community and other industries.

Funding is available under the TAP for organisations that deliver services in key focus areas. Funding is allocated through an application process, where eligible organisations can submit requests for financial support to deliver services aligned with the key areas outlined in the TAP. Differential rating is applied to Commercial and Tourism rated properties in Broome to raise funds for the financial support offered under the TAP.

Key Focus Areas:

- Visitor Information Services
  - Council will work collaboratively with the Broome Visitors Centre (**BVC**) for the provision of visitor servicing and determining of high-level tourism priorities for the Shire of Broome.
  
- Destination Marketing
  - Council will work collaboratively with Australia's North West (**ANW**) for the promotion of the Broome local government area as a visitor destination to external markets and determining of associated high-level tourism priorities for the Shire of Broome.

- Cruise Ship Services
  - Council will work collaboratively with relevant stakeholders to respond to the opportunities offered by cruise shipping, including servicing the visitation of passengers and working to attract more cruise ships annually.
  
- Other Tourism Initiatives
  - Council will work collaboratively with organisations for the promotion and development of the Broome Shire as a visitor destination on initiatives that meet the high-level tourism priorities for the Shire of Broome. Applications for this stream are considered on an ad hoc basis where the proposed project is considered to be exceptional, opportunistic or otherwise ineligible for other Shire funding programs. Allocations can be considered at the discretion of the Chief Executive Officer.

There is no pre-determined funding allocation for any specific entity under the TAP. Funding allocations are at the discretion of the Council and inform future year's budget considerations. This strategic approach ensures that Council's support for tourism is transparent, equitable, and aligned with the long-term interests of the Broome community.

The policy provides the following guidance on consideration of applications:

**Application and Reporting**

1. An organisation applying for Visitor Information Services, Destination Marketing or Cruise Ship Services funding through this policy may submit the following as per the timeline below:
  - a) A formal request for funding in the Shire's nominated format prior to the commencement of the funding period, to allow time for consideration.
  - b) A preliminary report outlining activities and achievements if funding has previously been allocated to the applicant.
  - c) Their strategic / business plan in its nominated format to allow Council consideration of the strategic direction of the organisation.
  - d) A copy of the organisation's year end audited financial statements for the preceding year that provide assurance that the organisation is viable; and
  - e) A summary of activities/projects of expenditure proposed to be funded by the Shire including the proposed key performance indicators aligned to the high-level priorities set by the Shire for the funding period.
  
2. The following timeline will determine the application and consideration process:

<b>Date</b>	<b>Item</b>
30 September	Acquittals for Preceding Financial Year Due
1 November	Applications Due for next FY
November	Council Workshop
December	OMC – Council Consideration of Requests

Officers prepared three separate agenda items to allow for Council's consideration of the three focus areas independently of each other. This agenda item relates to cruise ship services and Cruise Broome, specifically the application submitted by Cruise Broome. The other two agenda items were considered and approved at the OMC held December 12, 2024. The agenda item for Cruise Broome was withdrawn from consideration to allow additional time for further review.

An agreement with Cruise Broome is currently in place for the 2024/25 financial year. The following Council resolution was made at the OMC held 30 May 2024:



**COUNCIL RESOLUTION:****(REPORT RECOMMENDATION)****Minute No. C/0524/001****Moved: Cr D Male****Seconded: Cr M Virgo****That Council:**

1. **Consider for inclusion in the Municipal Budget for 2024/2025 an allocation of \$36,918 (ex GST) to Cruise Broome Inc. and enters into a funding agreement with the following conditions:**
  - (a) **Payments shall be linked to provision of cruise ship visitation services for the arrival of a certain size of cruise ship vessel and the delivery of cruise ship services on the date of vessel arrival and/or departure;**
  - (b) **Where visitation services are not provided for a specified vessel, no funding shall be provided;**
  - (c) **Funding will not be provided for management and operational costs of Cruise Broome for such items as insurance and industry membership; and**
  - (d) **Operational updates are provided to the Shire of Broome every six months (or as requested by officers)**
  - (e) **A Traffic Management Plan must be submitted to and approved by the Shire of Broome prior to commencement of any use of any public road or parking space for delivery if any services**
  - (f) **Shire of Broome support should be acknowledged on Cruise Broome's web site, Facebook Page and any other social media platforms, as well as any physical forms such as logos on portable shade structures, printed maps and brochures, with all acknowledgement to be recorded and reported during acquittal of the grant funding**
  - (g) **Any other conditions applicable to meet the funding criteria in the Tourism Administration Policy guidelines.**
2. **Reserves the right to withdraw or increase funding should the need to respond to economic impacts or disruptions.**
3. **Requests the Chief Executive Officer reports back to Council with recommendations about future funding arrangements for support of the Cruise Ship industry in Broome, including consideration of funding from the Kimberley Ports Authority, cruise ship operators and other key stakeholders, as well as opportunities to streamline funding to ensure that the burden of acquittal of grant funding is transparent, accountable and simple, prior to the next round of Tourism Administration Program funding applications, which is currently scheduled for October 2024.**

**For: Shire President C Mitchell, Cr D Male, Cr J Lewis, Cr P Matsumoto, Cr M Virgo, Cr P Taylor, Cr S Cooper.**

**CARRIED UNANIMOUSLY 7/0**

As requested in point 3 of the May Council resolution, officers engaged in meetings with the Kimberley Ports Authority (**KPA**) and Tourism WA (**TWA**) to explore potential funding collaboration. However, upon learning that Cruise Broome was independently seeking support from these organisations, officers requested Cruise Broome provide formal letters of support from industry as part of the application process.

**COMMENT**

The Shire received an application from Cruise Broome for funding commencing in the 2025/26 financial year. This application was invited directly.

Cruise Broome

Cruise Broome is an industry body dedicated to the strategic planning and development of the local cruise ship industry. Its role focuses on fostering growth and ensuring the smooth operation of cruise-related activities in Broome, enhancing the overall visitor experience and benefiting local businesses. Cruise Broome's application is provided in **Attachment 1**.

Cruise Broome is a not-for-profit organisation managed by a Board of Directors, which includes local industry representatives. The organisation is currently undergoing constitutional changes, aiming to enhance its governance structure.

In 2018/19, Cruise Broome received \$27,000, which increased to \$44,000 in 2019/20. There was no funding allocated for the next two years due to the effects of Covid-19 on travel.

In 2022/23, funding resumed with \$40,000, with the agreement that Cruise Broome would hire a coordinator to deliver the meet-and-greet service. No allocation for funding was made for 2023/24 due to no application being submitted by the application deadline.

For 2024/25, Cruise Broome is set to receive \$36,918. Under the 2024/25 agreement, Cruise Broome is funded to coordinate the setup of tents and visitor servicing on Napier Terrace during large and medium cruise ship arrival days. This service provides cruise passengers with access to essential information, amenities, and a welcoming environment as they arrive in Broome. The 2024/25 agreement is linked to clear Key Performance Indicators (**KPIs**) with the funding being specifically for the delivery of meet and greet services at Napier terrace, delivered by Cruise Broome's selected third party contractor. This 'pay per vessel size and service' model is also used in other local governments.

Cruise Broome is not required to submit an acquittal as part of the current application process as the most recent period they needed to acquit was finalised at the 30 May 2024 OMC. To date, they have only received partial payment for this funding.

Historically, Cruise Broome has not provided audited statements due to the cost of an audit being prohibitive. They are also not required to be audited under the Australian Charities and Not-for-profits Commission Act 2012. A 2023 profit and loss statement was provided during the assessment process prior to the 30 May 2024 Council meeting.

In February 2025 a preliminary report outlining activities and achievements for the period July 2024 to December 2024 was provided. Officers consider that, based on their review, Cruise Broome is meeting its obligations for funding for the 2024/25 financial year period. This includes compliance with funding conditions and acknowledgement for the support it has received.

### Cruising Situation

The Shire has held the position since 2016 that industry must co-fund the operations of Cruise Broome; however, this has not been realised, and the Shire remains the primary funder. At the 30 May 2024 OMC, Council requested officers investigate alternative funding sources. Since this time Cruise Broome has received confirmation in writing from TWA that they will contribute \$25,000 for the 2025/26 period. Kimberley Marine Supply Base (**KMSB**), have also provided written confirmation that they will contribute \$25,000 in 2025/26. Cruise Broome have confirmed that KPA will not be providing funding in the 2025/26 year.

In their application, Cruise Broome wrote the following about the economic impact to Broome of cruise shipping:

*"In 2023/2024 Broome also had the highest amount of visit days which was 198. This collates to 41,389 pax and 5,331 crew. The expenditure through these numbers to Broome was*

*\$18.57 m by pax, \$0.34 m by crew and \$14.42 m through the Cruise Lines directly into the Broome economy.”*

The cruise industry has significant potential, particularly with the ongoing developments at KMSB, new port facilities planned and underway, and Broome's designation as a First Port of Entry.

However, for the 2025/26 period, only five large and medium-sized cruise vessels are currently scheduled to visit Broome. In contrast, a substantial increase in the number of smaller expedition vessels (also known as Small Cruise Ships) is expected, with somewhere between 45 - 60 vessels scheduled for the season. Small cruise ships typically carry between 70 and 300 passengers. Much smaller vessels, accommodating between 10 and 36 passengers (known as Micro Cruises), are excluded from the consideration of visitor services. The cruise ship schedule is publicly available on the KPA website.

The small cruise ships typically operate on a turnaround basis, where passengers embark and disembark in Broome, creating an opportunity for extended stays and increased local spending. This model provides the potential for a more immersive experience for passengers and benefits for local businesses, as passengers have more time to explore and engage with the region's offerings. The focus on these smaller, multiday vessels aligns with Broome's growing appeal as a destination for expedition-style cruising, which requires tailored services to support the turnaround process effectively.

As a result of these change to the cruise schedule, Cruise Broome have requested that funding is allocated to provide visitor services to small cruise ships, currently being performed at the Mangrove Hotel. This includes stationing a visitor service representative at the check-in desk to offer information about local services and facilities. Additionally, for certain vessels, a visitor service representative will be on board at the port to assist passengers.

Cruise Broome is seeking a \$50,000 contribution from the Shire towards an estimated budget of \$110,000. This is a reduction from what was included in their original application (\$60,000) submitted in November 2024. The funding will be used to engage a coordinator and or Kimberley Special Events to service the large and medium cruise ships, including the Napier Terrace welcome, and to provide staff for small cruise ship visitor servicing at the Mangrove Hotel. The budget allocates for the employment of a part-time coordinator to oversee business operations and manage marketing efforts and broader stakeholder engagement.

Cruise Broome have submitted an application including a provision for a Memorandum of Understanding (**MOU**) to be signed with the BVC, with cruise visitor servicing auspice through the BVC. Given that BVC is a much larger and more resourced organisation, it is considered that Cruise Broome would benefit from being supported under BVC's management and infrastructure.

While there are no clear cost savings demonstrated with Cruise Broome being auspice through the BVC it is anticipated that the collaboration will lead to improved capacity to service visitors and communication with Broome businesses.

In their application form, Cruise Broome has outlined KPIs to measure the effectiveness of its service, including introducing a survey system with iPads, allowing guests to access an online feedback form on the arrival day. Additionally, Cruise Broome has offered to provide evidence of communication between local organisations to demonstrate engagement and collaboration. Cruise Broome has also committed to deliver two 'Community Cruise Briefings'. Cruise Broome has written in their application that these stakeholder engagement initiatives will benefit Broome in the following ways:

*“Collaboration with Local Industries: Cruise Broome works closely with BVC, BCCI, ANW, Shire of Broome, KPA, BIA, other stakeholders and other local businesses/tour operators to align tourism offerings, from retail and dining to tours and events. These partnerships foster a cohesive tourist experience and increase the visibility of local businesses.*

*Cruise Broome/ BVC will further establish partnerships with local businesses, helping them become more cruise ready. By working with local tour operators, suppliers, artisans, and hospitality providers, they could help to create packages that showcase Broome's unique offerings and encourage spending within the community.”*

Since the last agenda item was presented to Council in December 2024, officers have met with Cruise Broome representatives to discuss the recommendations outlined in that item. At the meeting, verbally but not in writing, Cruise Broome put forward the following clarifications as part of their application:

- Cruise Broome intends not to provide audited financial statements, and under the proposed agreement with the Broome Visitor Centre, audits will also not be conducted.
- Cruise Broome will provide the MOU with the BVC only after funding from the Shire of Broome has been secured.
- The funding request will be adjusted from \$60,000 to \$50,000 while maintaining the same service delivery outlined in the application submitted late last year.
- The updated Constitution will include provisions for officer representation (rather than an elected member).

If the request is supported, the funding will be subject to clearly defined and measurable Key Performance Indicators to ensure that outcomes can be effectively assessed and monitored. These KPIs are outlined in the Council recommendation.

If Council does not support Cruise Broome's application, including the introduction of new funded expedition vessel services or the proposed \$50,000 funding amount, a reassessment of the Shire's approach to supporting cruising services will be necessary.

## **CONSULTATION**

A workshop was conducted with the Council on 26 November 2024 to discuss the TAP applications received and funding considerations in detail. The following Councillors were in attendance for the Cruise Broome discussion: Shire President Mitchell, Cr Male, Cr Cooper, Cr Mamid, Cr Smith and Cr Taylor.

On 3 December 2024, a second workshop was held with Cruise Broome presenting directly to Councillors with the following Councillors in attendance Cr Male, Cr Cooper, Cr Taylor and Cr Smith.

An additional workshop was held on 8 April 2024, with the following Councillors in attendance: Shire President Mitchell, Cr Lewis, Cr Male, Cr Smith and Cr Taylor.

## **STATUTORY ENVIRONMENT**

Nil.

## **POLICY IMPLICATIONS**

Assessed in accordance with the Tourism Administration Council Policy.

**FINANCIAL IMPLICATIONS**

The table below outlines funding provided by the Shire to Cruise Broome:

<b>Cruise Broome Financial Allocations by Year</b>	
2018/19	\$27,000
2019/20	\$44,000
2020/21	-
2021/22	-
2022/23	\$40,000
2023/24	-
2024/25	\$36,918
2025/26	\$50,000 (requested)

While each TAP application received is being presented to Council individually, for the purposes of understanding the overall financial implications of TAP applications, all recommended funding amounts are presented below.

The financial implications for the 2025/26 budget for the entire TAP are as follows:

- Broome Visitor Centre (BVC): \$250,000
- Australia's NorthWest (ANW): \$50,000
- Cruise Broome: \$50,000

The total funding required for these three organisations in the 2025/26 financial year would amount to \$350,000. This is \$16,918 more than 2024/25.

**RISK**

<b>Option</b>	<b>Risk</b>	<b>Type</b>	<b>Rank</b>	<b>Mitigation</b>
Community dissatisfaction with allocations	Perception that Shire process for providing funding is not fair and equitable	Reputational	Medium	Allocations are at the discretion of Council. The proposed funding contribution from the Shire is similar to funding supplied previous years.
Funding recipient dissatisfaction with allocations	Perception that Shire is not maximising the opportunity to support organisations providing social and economic benefits.	Reputational	Medium	\$50,000 is the amount that has been requested by the recipient. If Council chooses to reduce this amount, officers will discuss the implications with Cruise Broome.
Poor return on investment	Services provided do not meet industry and visitor requirements	Financial	Medium	If successful, the applicant to provide regular update reports. Once the agreement is finalised, it will be acquitted. The funding agreement includes clear KPIs.

<p>Funding recipient does not make any changes to business operating model</p>	<p>Ongoing reliance on the Shire to provide funding to maintain service levels</p>	<p>Financial</p>	<p>High</p>	<p>Officers will continue to work with Cruise Broome and industry partners to encourage co-contribution.</p>
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**STRATEGIC ASPIRATIONS**

**Prosperity - Together, we will build a strong, diversified and growing economy with work opportunities for everyone.**

**Outcome 9 - A strong, diverse and inclusive economy where all can participate**

**Objective** 9.1 Increase Broome's domestic and international trade in tourism, agriculture, aquaculture, minerals and energy, culture and the arts, and other emerging industries.  
**Objective** 9.1 Increase Broome's domestic and international trade in tourism, agriculture, aquaculture, minerals and energy, culture and the arts, and other emerging industries.

**Actions** 9.1.3 **Fund** tourism operations such as Broome Visitors Centre, Australia's North West and Cruise Broome in line with the Tourism Administration Policy.

**VOTING REQUIREMENTS**

*Simple Majority*

<p><u>REPORT RECOMMENDATION:</u></p> <p>That Council consider for inclusion in the Municipal Budget for 2025/2026 an allocation of \$50,000 (ex GST) to Cruise Broome; subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. Cruise Broome commits to providing audited financial statements for the period ending 2025/26;</li> <li>2. Cruise Broome enters into a funding agreement incorporating the following conditions/Key Performance Indicators:             <ol style="list-style-type: none"> <li>a. Provision of the results from the survey system, including feedback results from visitors on the arrival day.</li> <li>b. Evidence of engagement and collaboration with local organisations and stakeholders (such as the Broome Chamber of Commerce and Industry).</li> <li>c. Evidence of communication with the business community on upcoming cruise visits to ensure key stakeholders are aware of and prepared for visits.</li> <li>d. Reporting on servicing activities for all small, medium and large cruise ships, including the dates, location of servicing, name of the vessel and estimated passenger numbers.</li> <li>e. Reporting on the key tasks performed by the part-time coordinator, and/or providing their job description.</li> <li>f. Examples of local activities on Cruise Ship marketing material.</li> </ol> </li> </ol>
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## 9.4 PERFORMANCE

### 9.4.1 SUPERANNUATION PAYMENTS FOR COUNCIL MEMBERS

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ADC08
<b>AUTHOR:</b>	Manager Governance, Strategy And Risk
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

Recent changes to legislation permit local governments to make superannuation contributions for Council members.

The purpose of this Report is to present those changes for consideration by Council.

Council is requested to make superannuation contributions to Council members from 1 July 2025.

## BACKGROUND

### Previous Considerations

Nil

Following passage of the *Local Government Amendment Act 2024*, new sections 5.99B to 5.99E of the *Local Government Act 1995* will allow local governments to resolve by absolute majority to make superannuation contributions for Council members from 1 February 2025.

Prior to this, if a local government wanted to offer superannuation to Council members, it would need to become an “Eligible Local Governing Body” under Division 446 of the *Taxation Administration Act 1953 (Cth)*, which requires a unanimous Council resolution.

Making superannuation contribution payments for Council members acknowledges the significant dedication and investment of time a Council member commits to their role and helps bring Council members in line with the wider workforce.

The resolution process is streamlined by only requiring an absolute majority decision rather than a unanimous one.

Similarly, the system set out in the *Local Government Act 1995* means superannuation can be paid without needing to also address the other taxation requirements.

This reform aims to attract and retain council members and encourage greater diversity across local governments.

Superannuation contribution payments for Council members will be made in addition to any other fees and allowances.



These will sit outside the threshold for fees and allowances set by the Salaries and Allowances Tribunal.

Council members may receive various types of fees and allowances, in accordance with the *Local Government Act 1995* and the relevant determination of the Salaries and Allowance Tribunal.

The requirement to make superannuation contribution payments in respect of these fees and allowances is to be determined in accordance with *Commonwealth Superannuation Guarantee (Administration) Act 1992* and the further guidance provided in Superannuation Guarantee Ruling SGR 2009/2.

While Council members are not considered employees, they are to be treated in the same manner as employees of the local government for the purposes of calculating superannuation contribution payments.

By 1 July 2025, the superannuation guarantee rate will be 12 per cent.

The superannuation contribution payment is to be paid at the same time as the remuneration of the Council member is paid.

To allow a superannuation contribution payment to be made, a Council member must nominate a superannuation account from a scheme or fund.

Local governments must not make a superannuation contribution payment for a Council member if they fail to nominate an eligible superannuation account before the end of the month to which the payment relates.

Local governments must not make superannuation contribution payments for Council members during any period in which they are suspended.

Council members are also not entitled to a superannuation contribution payment during any period in which they are not entitled to receive their fees and allowances.

Individual Council members may opt out of receiving superannuation contribution payments by providing a notice in writing to the Chief Executive Officer.

## **COMMENT**

Shire officers raised this matter with Council members at the Council Workshop held on 8 April 2025.

Whilst it was generally agreed by Council members to pay Council members superannuation payments, the decision to do so or not to do so requires a Council resolution.

The advice provided to date is reimbursement-style Council member fees and allowances are not included in the calculation of superannuation (e.g. Information Technology Allowance, Travel reimbursement etc.).

The current rate for superannuation payments is 11.5% and the rate from 1 July 2025 would be 12%.

Total superannuation payments for an Ordinary Council Meeting (1 February 2025 - 30 June 2025) approximately equate to approximately \$919,000.

The amount of superannuation paid for the period 1 July 2025 to 30 June 2026 would be calculated once the 2025 – 2026 Elected Members sitting fees are determined however based on the 2024/25 fees, the estimate is as follows:

Councillor	2024/2025 Budget \$	Proposed Super Budget 2025/2026 \$	Monthly \$
<b>Cr Chris Mitchell JP</b>			
Meeting attendance fees	\$33,706	\$4,045	\$337.08
<b>Cr Desiree Male</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Cr Philip Matsumoto</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Cr Peter Taylor</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Cr Jan Lewis</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Cr Johani Mamid</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Cr Ellen Smith</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Cr Melanie Virgo</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Cr Sean Cooper</b>			
Meeting attendance fees	\$25,137	\$3,016	\$251.33
<b>Total Meeting attendance fees</b>	\$234,802	\$28,173	\$2,347.75

## CONSULTATION

WA Local Government Association.

## STATUTORY ENVIRONMENT

### Local Government Act 1995

#### Section 5.99B

*Superannuation for council members: main provision*

*A local government may decide, by an absolute majority, to pay superannuation contribution payments for its Council members.*

#### Section 5.99C

*Superannuation for council members: opt outs*

*Where the local government has resolved to make superannuation contribution payments for its Council members, a Council member may opt in or opt out by providing a written notice to the Chief Executive Officer.*

#### Section 5.99D

*Superannuation for council members: other exceptions*

*Council members must nominate an approved superannuation scheme for any superannuation contribution payments to be made into.*

**Section 5.99E**

*Superannuation for council members: supplementary provisions*

*A local government may recover any returnable amounts from the Council member where incorrect information is provided.*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

If Council was to resolve to make superannuation contribution payments to its Council members, and all Council members opted in, the total payment would be approximately \$28,200.00 annually to be allowed for the 2025/26 budget.

**RISK**

Nil.

**STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.1 Strengthen leadership, advocacy and governance capabilities.

**Actions** 11.1.1 **Provide** access to leadership, advocacy and governance training and personal development opportunities for Elected Members.

**VOTING REQUIREMENTS**

*Absolute Majority*

**REPORT RECOMMENDATION 1:**

*That Council:*

- 1. Agrees to make superannuation contribution payments to its Council Members pursuant to Section 5.99B of the Local government Act 1995.*
- 2. Makes allowance in the 2025/26 budget for Council Members to be paid superannuation from 1 July 2025.*

**Attachments**

Nil

**9.4.2 2025 ORDINARY LOCAL GOVERNMENT ELECTION**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	GOE04
<b>AUTHOR:</b>	Manager Governance, Strategy And Risk
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

The purpose of this report is to seek Council's endorsement of the method and conduct of the 2025 Shire of Broome (**Shire**) ordinary local government election that is scheduled for 18 October 2025.

Council is requested to appoint the Western Australian Electoral Commissioner (WAEC) to be responsible for the conduct of the 2025 ordinary local government election for the Shire, together with any other elections or polls which may be required, and to decide to conduct the election as a voting in person election with a non-local Returning Officer.

**BACKGROUND**

Previous Considerations

OMC 27 February 2025      Item 9.4.1

Under the *Local Government Act 1995* (the Act), Ordinary Local Government Elections are held every two years on the third Saturday in October, with Council members elected for a term of up to four years.

Each local government can choose to conduct an election as either a voting in-person election or as a postal voting election.

**COMMENT**

At the Ordinary Council Meeting held on 27 February 2025 Council endorsed the WAEC cost estimate letter dated 12 December 2024 for the amount of \$46,985 excluding GST Non-local RO cost estimate letter (**Attachment 1**). Officers contacted WAEC to confirm the approval of the non-local RO cost estimate letter and WAEC have now issued the written agreement for the Electoral Commission to conduct the election (**Attachment 2**).

WAEC has estimated the cost of an in person Election to be approximately \$46,985 excluding GST in **Attachment 1** based on the following assumptions:

- The method of election will be in person
- Four Councillor(s) vacancies
- 9,700 electors
- Response rate of approximately 25%
- Appointment of a non-local Returning Officer (associated costs include airfares, travel time, meals. Accommodation during Nomination Period and Election Period including early voting at Remote Locations; and

- Count to be conducted at the Shire office using the Count WA software program.

## CONSULTATION

Western Australian Electoral Commission.

## STATUTORY ENVIRONMENT

### Local Government Act 1995

Section 4.20(4) provides that the local government may, with prior written agreement, declare the Electoral Commissioner to be responsible for the conduct of an election on the local government's behalf.

Section 4.61(2) provides that the local government may decide to either hold the election 'in person' or 'postal'.

Local Government (Elections) Regulations 1997: Regulation 9(3) provides that the Electoral Commissioner's expenses are to be determined on the basis of full accrual cost recovery.

### 4.20. CEO to be returning officer unless other arrangements made

- (1) Subject to this section the CEO is the returning officer of a local government for each election.
- (2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint\* a person other than the CEO to be the returning officer of the local government for —
  - (a) an election; or
  - (b) all elections held while the appointment of the person subsists.

\* Absolute majority required.

- (3) An appointment under subsection (2) —
  - (a) is to specify the term of the person's appointment; and
  - (b) has no effect if it is made after the 80th day before an election day.
- (4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare\* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is

\* Absolute majority required.

### 4.61. Choice of methods of conducting election

- (1) The election can be conducted as a —
  - postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
  - voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.
- (2) The local government may decide\* to conduct the election as a postal election.

\* Absolute majority required.

## POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

Waec has estimated the costs of an in person election with non-local Returning Officer in October 2025 to be approximately \$46,985 excluding GST. Funds have been assigned in the Draft 2025/26 Annual Budget to offset these costs.

## RISK

Utilising the WAEC resources and expertise reduces the risk of non-compliance and ensures a high level of impartiality and transparency.

## STRATEGIC ASPIRATIONS

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.2 Deliver best practice governance and risk management.

## VOTING REQUIREMENTS

*Absolute Majority*

### REPORT RECOMMENDATION:

*That Council:*

- 1. Declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the Shire of Broome 2025 Ordinary Local Government Election, together with any other elections or polls which may be required.*
- 2. Decides, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be an in person election with a Non-Local Returning Officer.*
- 3. Notes the Western Australian Electoral Commission's cost estimate to conduct this election, as detailed in Attachment 1, is \$46,985 excluding GST, excluding costs associated with priority post, casual staff, cost increases from suppliers and local advertising/promotion of the election; and*
- 4. Notes the requirement for an allocation of approximately \$46,985 excluding GST in the 2025/2026 Annual Budget for the 2025 Ordinary Local Government Election.*

## Attachments

1. Western Australian Electoral Commission Cost Estimate Letter: 2025 Local Government Ordinary Election - Non Local Returning Officer

2. Western Australian Electoral Commission Written Agreement: 2025 Local Government Ordinary Election Written Agreement











### 9.4.3 ADOPTION OF THE 2025/26 SCHEDULE OF FEES AND CHARGES

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	ACC01
<b>AUTHOR:</b>	Manager Financial Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

Council is requested to consider and adopt the Shire of Broome Schedule of Fees and Charges for the 2025/26 financial year, effective from 1 July 2025.

#### BACKGROUND

Under sections 6.16 to 6.19 of the *Local Government Act 1995*, a local government may impose a fee or charge for any goods or services it provides. Fees and charges must be imposed when adopting the annual Budget, however may also be imposed or amended during the year if necessary.

#### COMMENT

The 2024/25 adopted fees and charges were reviewed to maximise full cost-recovery without hindering patronage for services. In reviewing the fees and charges, officers focused on verifying the following:

- the legislative head of power for all fees and charges;
- whether the fee and charge is regulated or otherwise;
- for non-regulated fees and charges:
  - the full cost recovery;
  - the rationale for the price;
  - how vital the fees and charges are to the community;
  - market competitiveness and regard to the current economic climate; and
- GST applicability.

A workshop was held with Council on 18 March 2025 to review the draft Schedule of Fees and Charges.

The following topics of discussion were covered, among others:

- Continue to waive venue hire fees for structured sporting programs for junior sporting activities to make junior sport more financially accessible for participants and community sporting clubs facilitating junior sports.
- Justification for newly introduced, discontinued and reduced fees was presented.
- To reflect increased cost of providing services many fees had a 3.5% increase applied.
- Over one third of fees have been kept the same as the prior year.
- Officers have focussed on clarifying and simplifying the overall fees schedule through combining fees where relevant and separating fees where necessary
- Generally, any proposed additional increases are related to;

- o direct cost recovery,
- o rounding for ease of use,
- o consistency across the full fee schedule, and
- o alignment with other shires.

Following the workshop on fees and charges held with councillors, officers have also recommended the following amendments to the schedule of fees and charges:

- Introduction of new fees for:
  - o Chinatown Premium Bin Services fees have been added which include a wheel-in-wheel-out service;
  - o Design Review Panel member engagement fee – Chair & Panel Member - for developments defined as 'Major Development' under LPP 5.24
- Reduction in the whole of venue hire for the Civic Centre fees to reflect licensing changes to bar sales. The reduction reflects the exclusion of the option for the bar to be staffed by hirers and any bar sales revenue to go to hirers.

Fees and charges imposed for Council services are either statutory charges or for the provision of goods and/or services. There are many regulatory fees determined under legislation other than the *Local Government Act 1995*, which dictates the level of fees that the Council may impose.

Individually listing the Statutory Fees such as those prescribed in Schedule 2 of the *Building Regulations 2012* are no longer shown as individual line items, instead refer to the relevant legislation as these fees are set by external agencies and are therefore outside of the control of Council. As these agencies advise of any fee updates, the Shire will apply these updates to take effect from the date prescribed.

The 2025/26 Fees and Charges Schedule is proposed to take effect from 1 July 2025 except for fees set under section 53 of the *Cemeteries Act 1986*. As per the *Cemeteries Act 1986*, fees will come into effect after 14 days' notice is given in the Government Gazette.

## CONSULTATION

Extensive internal consultation has occurred with all the departmental managers and coordinators and through briefings and workshops with the Executive and Elected Members.

The draft Fees and Charges were presented to the Council budget workshop held 18 March 2025.

## STATUTORY ENVIRONMENT

**Local Government Act 1995, s 6.16** *Imposition of fees and charges*

**Local Government Act 1995, s 6.17** *Setting level of fees and charges*

**Local Government Act 1995, s 6.19** *Local government to give notice of fees and charges*

**Waste Avoidance and Resource Recovery Act 2007, s 67** *Local government may impose receptacle charge*

**Waste Avoidance and Resource Recovery Act 2007, s 68** *Fees and charges fixed by local government*

## POLICY IMPLICATIONS

Nil.

## **FINANCIAL IMPLICATIONS**

The Schedule of Fees and Charges for the 2025/26 financial year has been developed as part of the annual budget process. It is intended that these Fees and Charges take effect from 1 July 2025.

Delaying adoption of the 2025/26 Schedule of Fees and Charges beyond 1 July 2025 potentially hinders the ability of Officers to meet the revenue budgets set through the Annual Budget process.

## **RISK**

Ensuring continuity of service to the Broome community.

## **STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 13 - Value for money from rates and long term financial sustainability**

**Objective** 13.1 Plan effectively for short- and long-term financial sustainability

## **VOTING REQUIREMENTS**

*Absolute Majority*

### REPORT RECOMMENDATION:

*That Council:*

- 1. Endorse the proposed 2025/26 Schedule of Fees and Charges in Attachment 1, as per section 6.19 of the Local Government Act 1995.*
- 2. Request the Chief Executive Officer to commence advertising and invite submissions which are to be considered prior to Fees & Charges taking effect.*

## **Attachments**

1. 2025/26 Schedule of Fees and Charges

















































**9.4.4 MINUTES AND RECOMMENDATIONS FROM THE AUDIT AND RISK COMMITTEE MEETING HELD 8 APRIL 2025**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Manager Financial Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

Council is requested to consider the recommendations of the Audit and Risk Committee to adopt the budget amendments proposed through the 3<sup>rd</sup> Quarter Finance and Costing Review (FACR) of the Shire's budget for the period ended 31 March 2025, and to receive the progress update of the 2024 audit findings.

**BACKGROUND**

***Item 5.1 3rd Quarter Finance And Costing Review 2024-25***

*Previous Considerations*

SMC	22 August 2024	Item 5.4.1
ARC	29 October 2024	Item 5.1
OMC	31 October 2024	Item 13.1
ARC	18 February 2025	Item 5.2
OMC	27 February 2025	Item 9.4.6
ARC	8 April 2025	Item 5.1

The Shire of Broome has carried out its 3<sup>rd</sup> Quarter Finance and Costing Review (FACR) for the 2024-25 financial year. This review of the 2024-25 Annual Budget is based on actuals and commitments for the first 9 months of the year from 1 July 2024 to 31 March 2025, and forecasts for the remainder of the financial year.

This process aims to highlight over and under expenditure of funds, and over and under achievement of income targets for the benefit of Executive and Responsible Officers to ensure good fiscal management of their projects and programs.

Once this process is completed, a report is compiled identifying budgets requiring amendments to be adopted by Council. Additionally, a summary provides the financial impact of all proposed budget amendments to the Shire of Broome's adopted end-of-year forecast, to assist Council to make an informed decision.

It should be noted that the 2024-25 annual budget was adopted at the Special Meeting of Council on 22 August 2024 as a balanced budget.

The Quarter 3 FACR commenced on 20 March 2025. At the start of the Q3 FACR, a net deficit of \$87,619 was forecast arising from past budget amendments adopted by Council, including the Quarter 1 and Quarter 2 FACR's, and amendments stemming from Council's

adoption of the Final 2024 Audit in December 2024. These amendments resulted in an adjusted opening deficit of \$87,619.

Significant amendments approved through the FACR processes to date include:

- \$172,000 additional income at the Waste Management Facility offset by a \$100,000 increase in costs (primarily related to dry hire excavator costs required due to BOMAG repairs) resulting in a \$72,000 transfer to the Regional Resource Recovery Park Reserve.
- \$120,000 decrease to salary accounts in the Ranger Operations business unit with a corresponding \$120,000 increase to fund relief staff required due to vacancies.
- \$93,984 reduction in insurance costs as the actual premiums received were lower than forecast.
- \$88,525 increased income via developer contributions which have been quarantined in reserve for future footpath and drainage works.
- \$85,393 savings in salary allocations for A Sporting Chance due to the program being wound up (refer 12 December 2024 OMC Item 9.1.1).
- \$81,600 increase in expense to engage contractors for the preparation of the 2025/26 annual budget and to review Council's Long Term Financial Plan.
- \$80,000 reduction in loan fees and adjustments due to the delayed draw down of the Key Worker Housing Loan.
- \$77,000 loss of interest income due to the delayed issue of rates notices following late budget adoption coupled with less grant funding being held in the municipal bank account.
- \$70,000 additional income from planning and building fees. This increase stems largely from increased solar applications.

### ***Item 5.2 Progress Update - Audit Findings Progress Report***

#### *Previous Considerations*

#### ***2022/2023 Final Audit Management Report***

The Shire's Final Audit Management Report for the 2022/2023 financial year was received by Council at the SMC 21 December 2023.

An update of the progress of audit findings contained in the Shire's 2023 Final Audit Management Report was received by the Audit and Risk Committee (ARC) at the ARC meeting held 22 April 2024 with updates subsequently provided at the August and October ARC meetings.

#### ***2023/2024 Interim Audit Management Report***

The Shire's Interim Audit was conducted by RSM Australia (RSM) on behalf of the Office of the Auditor General (OAG) in April 2024. The Interim Audit Management Report was received by the Audit and Risk Committee at the ARC meeting held 28 August 2024 with updates subsequently provided at the October ARC meeting.

#### ***2024 Performance Audit – Local Government Physical Security of Server Room Assets (Emerging Findings)***

A Performance Audit of 16 non-metropolitan local government entities was undertaken by the OAG to assess the management of local government physical ICT assets to protect them from physical and environmental hazards. Each local government received an

Emerging Findings Letter which contained specific findings to the local government and a Summary of Findings Report which was tabled in State Parliament under sections 24 and 25 of the *Auditor General Act 2006*.

The Emerging Findings Letter and Summary of Findings Report were received by the ARC at the ARC meeting held 28 August 2024 with updates subsequently provided at the October ARC meeting.

### **Progress Update – Audit Reports**

The Audit and Risk Committee received an update on the status of all three audit findings at the ARC meeting held 28 August 2024. Of the 22 findings, 10 were completed, 6 were in progress, and 6 were overdue.

A subsequent progress update was provided at the ARC meeting held 29 October 2024. Of the 22 findings, 14 were completed, 3 were in progress, and 5 were overdue.

It is worth noting that two of the findings in progress address the same issue. This issue was recorded in two separate audit reports because it remained overdue at the time of the second audit (2023/2024 Interim Audit).

### **Recent Audit Findings**

The 2023/24 Final Audit Management Report and the 2024 Regulation 17 Audit were both accepted by the ARC at its meeting held 10 December 2024 and subsequently endorsed by Council the 12 December 2024 Ordinary Meeting of Council (OMC).

### **2023/2024 Final Audit Management Report**

The Shire's Final Audit Management Report for the 2023/2024 financial year was received by the ARC at the ARC meeting held 10 December 2024 and by Council at the OMC 12 December 2024. The 2024 final audit raised eight internal control improvement recommendations, several which had been previously identified and were existing actions within the improvement register.

### **Regulation 17 Audit Report**

Regulation 17 of the Local Government (Audit) Regulations requires the Chief Executive Officer (CEO) to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance at least once every three years.

The Shire of Broome (Shire) engaged Paxon Group (Paxon) to undertake this review on behalf of the CEO. Paxon provided eight recommendations stemming from their review.

### **COMMENT**

#### **Item 5.1 3rd Quarter Finance And Costing Review 2024-25**

The Q3 FACR identifies a net cumulative **deficit** forecast of **\$193,282** to 30 June 2025.

The above figure represents a budget forecast should all expenditure and income occur as expected. It does not represent the actual end-of-year position which can only be determined as part of the normal annual financial processes at the end of the financial year.

While officers make every effort to ensure the net impact of each FACR is minimal, the net surplus forecast mainly relates to the following proposed amendments:

- A \$235,000 reduction in forecast Salaries and Wages, reflecting vacancies in key positions throughout the organisation.
- A \$140,000 combined increase in interest received on interim rates and non-payment of rates.
- a \$135,000 reduction in forecast income from issue of infringement notices. Business case presented previously saw the budgeted figures increase on prior year actuals. The results in this financial year mirror prior years more closely than originally forecast.

While the forecast for the 2024/25 financial year shows a positive result, it's crucial to acknowledge that the surplus isn't due to inadequate planning or budgeting. Staff turnover and vacancies have affected service delivery, prompting officers to fill gaps with contractors and defer non-essential tasks. Despite challenges, officers have strived to meet community expectations with the available resources. They face a rigorous review in the third quarter, aiming for realistic outcomes on all accounts and projects. Recognising that operating budgets reset at the start of the new financial year, officers strive to optimise their fund allocations to achieve the best outcomes for the community by 30 June.

A comprehensive list of accounts (refer to Attachment 1) has been included for perusal by the committee, summarised by Directorate.

**Quarter 3 FACR Result**

A summary of the results is as follows:

<b>SHIRE OF BROOME SUMMARY REPORT</b>							
<b>BUDGET IMPACT</b>							
	<b>2023/24 Adopted Budget (Income)/ Expense</b>	<b>YTD Adopted Budget Amendments (Income)/ Expense</b>	<b>FACR Q3 Overall (Income) / Expense</b>	<b>FACR Q3 Org (Savings) / Expenses</b>	<b>FACR Q3 Impact (Inc) / Exp (Org Savings subtracted)</b>	<b>YTD Impact (Org Savings Subtracted)</b>	<b>YTD Overall Position</b>
<b>Office of the CEO</b>	\$0	\$45,732	-\$35,000	-\$35,000	\$0	\$45,732	\$10,732
<b>Corporate Services</b>	\$0	\$8,811	-\$108,249	-\$152,863	\$44,614	\$53,425	-\$99,438
<b>Development Services</b>	\$0	-\$56,251	-\$42,434	-\$49,434	\$7,000	-\$49,251	-\$98,685
<b>Infrastructure Services</b>	\$0	\$126,588	-\$124,718	-\$178,767	\$54,049	\$180,637	\$1,870
<b>Change in brought forward surplus</b>	\$0	-\$37,261	\$0	\$0	\$0	-\$37,261	-\$37,261
	<b>0,000*</b>	<b>\$87,619</b>	<b>-\$310,401</b>	<b>-\$416,064</b>	<b>\$105,663</b>	<b>\$193,282</b>	<b>-\$222,782</b>

\*Council adopted the annual budget with a predicted end-of-year balanced budget, which included previous year carried forward surplus.

**Item 5.2 Progress Update - Audit Findings Progress Report**

A summary of progress on audit findings from the following reports is provided in **Confidential Attachment 1**:

- a) 2022/2023 Final Audit Management Report
- b) 2023/2024 Interim Audit Management Report
- c) 2024 Performance Audit – Local Government Physical Security Server Room Assets (Emerging Findings)

Details contained within the report are considered confidential as releasing them publicly would increase the likelihood that identified risks could be the target of fraudulent or illegal activities. Officers are actively addressing the issues identified in the external audits. Each finding is assigned a risk rating by the auditor to help prioritize and schedule actions for resolution.

**2023/2024 Final Audit Management Report**

Since the last Audit and Risk Committee meeting on October 29, 2024, 3 additional audits have concluded:

- The 2023/2024 Final Audit, conducted by RSM Australia on behalf of the OAG.
- The Regulations 17 Review, performed by Paxon Group.

A summary of findings from these audits are included for reference.

This report provides a high-level overview of outstanding findings and demonstrates the ongoing commitment to addressing identified risks.

**February 2024 Progress Update**

The table below summarises findings from outstanding audit matters stemming from audits conducted since 2022. It tracks:

- Total findings raised,
- New findings identified in each audit,
- Findings closed as at the last update,
- Findings classified as “superseded” (re-raised in subsequent audits to avoid duplication),
- Findings closed since the last update, and
- Status of open findings (overdue or not yet due).

	Total Findings	New Finding	Previously Closed	Supersceded	Closed this	Open	Overdue	Not yet due
2022 Audit	34	34	28	6	0	0	0	0
2023 Audit	14	5	2	3	0	0	0	0
2024 Interim Audit	6	3	3	0	1	1	1	2
2024 Performance Audit - Security & Access	2	2	2	0	0	0	0	0
2024 Audit	8	4	0	0	4	4	0	3
2024 Regulation 17	8	8	0	0	0	8	2	6
	<b>72</b>	<b>56</b>	<b>35</b>	<b>9</b>	<b>5</b>	<b>13</b>	<b>3</b>	<b>11</b>



- Closed Findings: Finding 6 from the 2023/2024 Interim Audit (Timeliness of policy reviews) is now resolved. A Business Operating Procedure and a Council Policy have been approved, marking this finding as complete.
- Superseded Findings: 9 findings from previous audits have been reclassified as "superseded" as they were addressed in subsequent reports.
- Overdue Findings: 2024 Interim Audit - Accuracy of leave balances.

**Findings added**

Two recent audits have identified additional findings:

2024 Final Audit: Eight findings, including four new findings and four re-raised from prior audits. Of these 8 findings, 4 have been closed this period:

1. Incorrect recognition of Loan Receivable from the Broome Surf Life Saving Club
2. Timeliness and evidence of review of general journals
3. Portable and attractive assets register not maintained
4. Bonds and deposits register not maintained.

2024 Regulation 17 Review: Eight entirely new findings of which none have been resolved and 2 are now overdue:

1. Fraud Control Plan
2. Manual journal approval process and reconciliations.

The table below outlines findings by target completion dates and highlights overdue findings and those due for resolution in the next quarter.

Audit	Findings	Prior year finding	Rating	Target completion date
2024 Interim	1 - Risk Register Maintenance		Moderate	30-Sep-25
2024 Interim	4 - Accuracy of leave balances	2022	Minor	20-Feb-25
2024 Final	3. Non-timely reconciliation of key account balances	2023	Moderate	30-Jun-25
2024 Final	4. Non-confirmation of goods received or services transferred		Minor	30-Jun-25
2024 Final	5. No testing of business continuity (BCP) and disaster recovery plan (DRP)		Minor	31-Jul-25
2024 Final	8. No policies and procedures for Inventory management	2022	Minor	31-Dec-25
2024 Regulation 17	1 - Internal audit program		Medium	30-Sep-25
2024 Regulation 17	2 - Operation of Risk Management		Medium	30-Sep-25
2024 Regulation 17	3 - Fraud Control Plan		High	30-Mar-25
2024 Regulation 17	4 - Manual journal approval process and reconciliations		Medium	31-Jan-25
2024 Regulation 17	5 - Asset stocktake Processes (fleet and IT assets)		Medium	30-Jun-25
2024 Regulation 17	6 - Annual review of delegations		Low	30-Jun-25
2024 Regulation 17	7 - Monitoring over procurement processes		Low	30-Apr-25
2024 Regulation 17	8 - Public interest disclosure processes		Low	30-Apr-25

## **2024 Regulation 17 Audit Progress Update**

### **Item 3 Fraud Control Plan** 25% complete

The Council Policy Fraud and Corruption Prevention was adopted by Council at the 28 February 2025 Ordinary Meeting of Council.

### **Item 7 Monitoring over Procurement Processes** 50% Complete

Officers have included an oversight and review of procurement processes however have not documented the process to date.

### **Item 8 Public Interest Disclosure Processes** 50% Complete

Council Policy Public Interest Disclosure was adopted by Council at the 28 February 2025 Ordinary Meeting of Council.

The proposed Public Interest Disclosure Officers are due to complete the necessary training by the end of February 2025. Once the training is complete, the draft documents will be presented to Council for consideration at the 22 May 2025 Ordinary Meeting of Council.

Efforts to manage overdue actions have been undertaken. Accountable officers have provided updates regarding the tasks and progress to bring the actions to completion. Where required, new target completion dates are to be presented to OAG for mutual agreement. It is noted that there has only been a 6 week period since the last update was provided to the ARC.

## **CONSULTATION**

### **Item 5.1 3rd Quarter Finance And Costing Review 2024-25**

All amendments have been proposed after consultation with Executive and Responsible Officers at the Shire.

### **Item 5.2 Progress Update - Audit Findings Progress Report**

Office of the Auditor General

RSM Australia has received the progress updates presented to the Audit and Risk Committee.

## **STATUTORY ENVIRONMENT**

### **Item 5.1 3rd Quarter Finance And Costing Review 2024-25**

#### **Local Government (Financial Management) Regulations 1996**

##### **Reg 33A. Review of Budget**

- (1) *Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
  - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) *consider the local government's financial position as at the date of the review; and*

- (c) review the outcomes for the end of that financial year that are forecast in the budget; and
- (d) include the following —
  - (i) the annual budget adopted by the local government;
  - (ii) an update of each of the estimates included in the annual budget;
  - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
  - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.
- (2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
 

\*Absolute majority required.
- (4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

[Regulation 33A inserted: Gazette 31 Mar 2005 p. 1048-9; amended: Gazette 20 Jun 2008 p. 2723-4; SL 2023/106 r. 18.]

## **Local Government Act 1995**

### **6.8. Expenditure from municipal fund not included in annual budget**

- 1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.
- (1a) In subsection (1) —

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget

### **Item 5.2 Progress Update - Audit Findings Progress Report**

## **Local Government Act 1995**

6.4 Financial report

7.9 Audit to be conducted

7.12A (3) Duties of local government with respect to audits

- (3) A local government must —
  - (aa) examine an audit report received by the local government; and
  - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and

(b) ensure that appropriate action is taken in respect of those matters

### **Local Government (Audit) Regulations 1996**

### **Local Government (Financial Management) Regulations 1996**

In accordance with section 7.9 of the *Local Government Act 1995 (the Act)*, an Auditor is required to examine the accounts and annual financial report submitted by a local government for audit. The Auditor is required to prepare a report by 31 December following the relevant financial year and send a copy of that report to:

- (a) The Mayor or President;
- (b) The Chief Executive Officer (CEO); and
- (c) The Minister.

Additionally, under Regulation 10(4) of the *Local Government (Audit) Regulations 1996 (Audit Regulations)*, the Auditor may, when deemed appropriate, prepare a Management Report to accompany the Auditor's Report. This Management Report is also to be forwarded to the individuals specified in section 7.9 of the *Act*.

### **POLICY IMPLICATIONS**

#### **Item 5.1 3rd Quarter Finance And Costing Review 2024-25**

Nil.

It should be noted that according to the materiality threshold set at the budget adoption, should a deficit achieve 1% of Shire's operating revenue (\$458,810) the Shire must formulate an action plan to remedy the over expenditure.

#### **Item 5.2 Progress Update - Audit Findings Progress Report**

Nil.

### **FINANCIAL IMPLICATIONS**

#### **Item 5.1 3rd Quarter Finance And Costing Review 2024-25**

The overall result of the **Quarter 3 FACR** is a surplus of **\$310,401**. Within this review process, officers identified **\$416,064** of organisational savings.

Taking the existing net deficit of \$87,619 into consideration, being all budget amendments previously endorsed by Council, and the amendments proposed in the Quarter 3 FACR, the **net result** is a cumulative **surplus** forecast of **\$222,782**. Organisational Savings of **\$416,064** have been identified which if approved would result in a net cumulative **deficit** forecast of **\$193,282** to 30 June 2025.

The decision to allocate the surplus, identified as "organisation savings," rests with Council. These savings are genuine organisation savings that can be allocated to other areas. Officers are comfortable that the forecast deficit position of \$193,282 can be addressed prior to the end of the financial year.

It is recommended that organisational savings of \$416,064 is used to reduce the \$997,717 approved borrowing to fund Cable Beach Stage A1. This will reduce total borrowings to

\$581,653 and reduce annual loan repayments from a projected \$126,314 to \$73,639, providing ongoing savings and improving Council's debt servicing ratio.

### ***Item 5.2 Progress Update - Audit Findings Progress Report***

No specific financial implications are associated with this item.

Remediation of any of the issues raised within the Audit Management Report may require budget allocations to resolve. Where this requires funding outside of the existing 2024/25 adopted annual budget, Responsible Officers would request budget allocations either through the Shire's Finance and Costing Review process, or as part of the 2025/26 annual budget process.

### **RISK**

#### ***Item 5.1 3rd Quarter Finance And Costing Review 2024-25***

The Finance and Costing Review (FACR) seeks to provide a best estimate of the end-of-year position for the Shire of Broome at 30 June 2025. Contained within the report are recommendations of amendments to budgets which have financial implications on the estimate of the end-of-year position.

The review does not, however, seek to make amendments below the materiality threshold unless strictly necessary. The materiality thresholds are set at \$10,000 for operating budgets and \$20,000 for capital budgets. Should a number of accounts exceed their budget within these thresholds, it poses a risk that the predicted final end-of-year position may be understated.

In order to mitigate this risk, the CEO enacted the FACRs to run quarterly and Executive examine each job and account to ensure compliance. In addition, the monthly report provides variance reporting highlighting any discrepancies against budget.

It should also be noted that should Council decide not to adopt the recommendations, it could lead to some initiatives being delayed or cancelled in order to offset the additional expenditure associated with running the Shire's operations.

### ***Item 5.2 Progress Update - Audit Findings Progress Report***

The audit findings provide management with recommendations particularly to strengthen internal controls and reduce the likelihood of certain risks. Delays in progressing and completing the audit findings can be unfavourable to the organisation, but are also weighed against other demands on Shire resources, and the costs to the community.

## **STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

***Outcome 11 - Effective leadership, advocacy and governance***

**Objective** 11.2 Deliver best practice governance and risk management.

***Outcome 13 - Value for money from rates and long term financial sustainability***

**Objective** 13.1 Plan effectively for short- and long-term financial sustainability

**Outcome 14 - Excellence in organisational performance and service delivery****Objective** 14.3 Monitor and continuously improve performance levels.**VOTING REQUIREMENTS***Absolute Majority*

The recommendations from the Audit and Risk Committee meeting held on 8 April 2025 appear below for Council consideration.

3RD QUARTER FINANCE AND COSTING REVIEW 2024-25 (5.1)

*Absolute Majority*

COMMITTEE RECOMMENDATION 1:

That Council:

1. Receives the Quarter 3 Finance and Costing Review Report for the period ended 31 March 2025;
2. Adopts the operating and capital budget amendment recommendations for the year ended 30 June 2025 as attached (Attachment 1);
3. Approves the allocation of \$416,064 of organisational savings as identified within this report to reduce planned borrowings required for Council's Cable Beach Stage A1 project (GL 114865620); and
4. Notes a forecast net end-of-year deficit position to 30 June 2024 of **\$193,282** including previously adopted budget amendments and the budget amendments in recommendations 2 and 3.

**VOTING REQUIREMENTS***Simple Majority*

PROGRESS UPDATE - AUDIT MANAGEMENT REPORT 2023/24 (5.2)

*Simple Majority*

COMMITTEE RECOMMENDATION 2:

That Council:

1. Receive the progress update of findings as per **Confidential Attachment 1**;
2. Notes the progress towards rectification of outstanding findings over the period; and
3. Requests the Chief Executive Officer to progress the finalisation of all remaining outstanding findings as soon as practicable.

**Attachments**

1. Audit and Risk Committee Meeting Minutes 8 April 2025
2. February 2025 Update - Audit Findings Review Summary Table (*Confidential to Councillors and Directors Only*)

**This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((f)(i)) as it contains "a matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method of**

***procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law”, and section 5.23(2)(f)(ii) as it contains “a matter that if disclosed, could be reasonably expected to endanger the security of the local governments property”.***































































#### **9.4.5 MINUTES AND RECOMMENDATIONS FROM THE KIMBERLEY ZONE AND KIMBERLEY REGIONAL GROUP MEETING HELD 10 APRIL 2025**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	KRG01
<b>AUTHOR:</b>	Executive Assistant to Chief Executive Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Acting Chief Executive Officer
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### **SUMMARY:**

This report presents for Council endorsement the Minutes from the joint meeting of the Kimberley Zone of the Western Australian Local Government Association (WALGA) and Kimberley Regional Group held on 10 April 2025.

#### **BACKGROUND**

A copy of the minutes from the Kimberley Zone of WALGA (Kimberley Zone) and the Kimberley Regional Group (KRG) meeting held 10 April 2025 are attached for Council consideration (**Attachments 1 and 2**).

As a result of a past decision of the group, both the Kimberley Zone and KRG meetings occur consecutively.

It should be remembered that the Kimberley Zone is a group established to represent regional issues to the State Council of WALGA. This group includes the four Kimberley Shires in addition to the Shires of Christmas Island and Cocos Keeling Islands.

The Shire of Wyndham East Kimberley accepted the Secretariat role for the Kimberley Zone / KRG late in 2021.

#### **COMMENT**

The minutes and respective background information are attached to this report and the following comments are made in relation to the resolutions passed by the Group. Additional recommendations have been made where necessary for Council's consideration.

#### **Kimberley Zone Meeting Minutes – 10 April 2025**

##### Reports from Representatives

- WALGA -
  - Cr Karen Chappel, Manager Governance and Procurement, WALGA
  - Nick Sloan, CEO

Reports from Kimberley Country Zone

The following table provides a summary of Matters for Decision that were to be considered at the WALGA State Meeting on 5 March 2025, and provides an update on Matters for Noting.

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
8.1	<p><b>Regulations for CEO KPIs and online registers – WALGA Submission</b></p>	<p><b>RECOMMENDATION</b>  <b>That the Zone support the WALGA recommendation for State Council Agenda item 8.1 as contained in the State Council Agenda and as provided below.</b></p> <p><b>WALGA RECOMMENDATION</b>                      That WALGA endorse the recommendations contained in the attached 'Regulations for CEO KPIs and public registers submission'.</p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• Consultation is open on the draft Local Government Regulations Amendment Regulations 2024 (the Draft Regulations), which give effect to reforms relating to the publication of online registers, publication of CEO performance criteria and performance reviews, and other CEO matters.</li> <li>• The Local Government legislation reform platform from the State Government indicated that one of the reform outcomes was "Reducing red tape, increasing consistency and simplicity".</li> <li>• The overwhelming sector feedback is that these reforms will not achieve this aim and will instead increase red tape without any clear public benefit.</li> <li>• Sector feedback has been collated and identifies overarching concerns listed in this report.</li> <li>• The attached submission, informed by this feedback, is recommended for endorsement.</li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li>• Regulations for CEO KPIs and public registers Draft WALGA submission</li> </ul> <p><b>POLICY IMPLICATIONS</b>                      WALGA's existing advocacy positions are based on the high-level reform proposals provided for public consultation in 2022.</p> <p>The current Advocacy Positions are:</p> <p><b>2.2.4 CEO Recruitment Panel</b>  <i>The Local Government sector supports the Department of Local Government, Sport and Cultural Industries establishing a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.</i></p>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p><b>2.5.27 Online Registers</b>  <i>The Local Government sector supports requiring Local Governments to report specific information in online registers on the Local Government’s website, including registers for leases, community grants, interests disclosures, applicant contributions and contracts (excluding contracts of employment).</i></p> <p><b>2.5.28 Publishing CEO Key Performance Indicators</b></p> <ol style="list-style-type: none"> <li>1. The Local Government sector conditionally supports the reporting of CEO Key Performance Indicators (KPIs) that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPIs of a confidential nature.</li> <li>2. The Local Government sector does not support results of CEO performance reviews being published.</li> </ol>
<p><b>8.2</b></p>	<p><b>Dog and Cat Management Advocacy Position</b></p>	<p><b>RECOMMENDATION</b>  <b>That the Zone support the WALGA recommendation for State Council Agenda item 8.2 as contained in the State Council Agenda and as provided below.</b></p> <p><b>WALGA RECOMMENDATION</b>  That WALGA replace Advocacy Position 2.12 Puppy Farming with a revised <i>Dog and Cat Management</i> advocacy position, as follows:</p> <p><i>In regard to the Dog Amendment (Stop Puppy Farming) Act 2021 and the PetsWA Centralised Database, the WA Local Government sector advocates:</i></p> <ol style="list-style-type: none"> <li>a) <i>That fees reflect completed cost modelling to ensure that Local Governments achieve full cost recovery in ensuring compliance with the Dog Act 1976 or Cat Act 2011.</i></li> <li>b) <i>that Fees and Charges set in Regulations are reviewed bi-annually and, at minimum, adjusted by the Local Government Cost Index.</i></li> <li>c) <i>that the PetsWA centralised registration database is developed, operated and maintained by State Government, with no loss to Local Government registration fee revenue.</i></li> <li>d) <i>that the function of PetsWA be restricted to the registration of dogs and cats, exclude ancillary functions such as animal related complaints and infringement notices, and integrate with existing Local Government corporate systems.</i></li> </ol>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p>e) <i>for the continued legislative exemptions for livestock working dogs in recognition of their special breeding requirements.</i></p> <p>f) <i>for a State Government-led education initiative whereby the community.</i></p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• <i>Motions from Zones regarding the PetsWA Centralised Registration Database provide an opportunity to review the existing Puppy Farming advocacy position and replace it with a new Dog and Cat Management advocacy position.</i></li> <li>• <i>The purpose of the new position is to reflect the progression of the Dog Amendment (Stop Puppy Farming) Act 2021 and the emerging concerns of the Local Government sector regarding the PetsWA centralised registration system.</i></li> <li>• <i>The Governance Policy Team endorsed the new advocacy position at its meeting on 24 March.</i></li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li>• <i>Comparison table between current Advocacy Position 2.12 Puppy Farming, and proposed advocacy position Dog and Cat Management.</i></li> </ul> <p><b>POLICY IMPLICATIONS</b></p> <p><i>This item is to replace existing Advocacy Position 2.12 Puppy Farming with a new Dog and Cat Management position.</i></p> <p><i>The current Advocacy Position is as follows:</i></p> <p><b>2.12 Puppy Farming</b></p> <p><i>1. The WA Local Government sector:</i></p> <ol style="list-style-type: none"> <li>a) <i>Welcomes a cost modelling review of the financial impact on Local Governments to ensure that Local Government is able to fully recover costs and not be disadvantaged in ensuring compliance of any new legislation to Stop Puppy Farming.</i></li> <li>b) <i>Acknowledges the benefit of de-sexing of dogs not used for approved breeding purposes, and request further information on the complexities associated with de-sexing of dogs prior to considering supporting the proposal.</i></li> <li>c) <i>Supports a centralised dog registration system that is developed, operated and maintained by State Government.</i></li> <li>d) <i>Supports appropriate legislative exemptions for livestock working dogs in recognition of their special breeding requirements.</i></li> <li>e) <i>Does not support the transition of pet shops to adoption centres.</i></li> <li>f) <i>Requests there be a Local Government-specific consultation process in relation to the proposed</i></li> </ol>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p>amendments to the Animal Welfare Act to introduce Standards and Guidelines for the Health and Welfare of Animals including dogs.</p> <p>g) Supports a State Government-led education initiative whereby the community is encouraged to purchase puppies from professional registered breeders.</p> <p>h) Requests the State Government discontinue the use of the term 'Farming' due to the negative connotation that may be associated with other regulated industries, and consider renaming the initiative 'Stop Puppy Mills'.</p> <p>2. The Local Government sector advocates that:</p> <p>a) any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and</p> <p>b) the Fees and Charges set in Regulations are reviewed biannually and at minimum, be adjusted by the Local Government Cost Index.</p> <p>The recommended new Advocacy Position is as follows:</p> <p><b>Dog and Cat Management</b></p> <p>In regard to the Dog Amendment (Stop Puppy Farming) Act 2021 and the PetsWA Centralised Database, the WA Local Government sector advocates:</p> <p>a) that fees reflect completed cost modelling to ensure that Local Governments achieve full cost recovery in ensuring compliance with the Dog Act 1976 or Cat Act 2011.</p> <p>b) that Fees and Charges set in Regulations are reviewed bi-annually and, at minimum, adjusted by the Local Government Cost Index.</p> <p>c) that the PetsWA centralised registration database is developed, operated and maintained by State Government, with no loss to Local Government registration fee revenue.</p> <p>d) that the function of PetsWA be restricted to the registration of dogs and cats, exclude ancillary functions such as animal related complaints and infringement notices, and integrate with existing Local Government corporate systems.</p> <p>e) for the continued legislative exemptions for livestock working dogs in recognition of their special breeding requirements.</p> <p>f) for a State Government-led education initiative whereby the community is encouraged to purchase puppies from approved breeders.</p> <p>A table comparing the current and proposed advocacy position can be seen in Attachment A.</p>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
8.3	<p><b>Native Vegetation Clearing Regulations Advocacy Position</b></p>	<p><b>RECOMMENDATION</b></p> <p><b>That the Zone support the WALGA recommendation for State Council Agenda item 8.3 as contained in the State Council Agenda and as provided below.</b></p> <p><b>WALGA RECOMMENDATION</b></p> <p>That WALGA replace the following Advocacy Positions:</p> <p style="padding-left: 40px;">5.2.1 Environmental Protection Act</p> <p style="padding-left: 40px;">5.2.2 Land Clearing in Road Reserves</p> <p>with an updated Native Vegetation Clearing Regulations Advocacy Position as follows:</p> <p style="padding-left: 40px;">WALGA calls on the Western Australian Government, in consultation with Local Government, to undertake legislative and policy reform to improve the effectiveness, efficiency and transparency of the regulatory system for clearing native vegetation in Western Australia, including:</p> <ol style="list-style-type: none"> <li>1. Amending the Environmental Protection Act 1986 and associated regulations to remove unnecessary process, complexity and improve timeframes, including:             <ol style="list-style-type: none"> <li>a) introducing statutory timeframes for the determination of referrals, permit applications and appeals</li> <li>b) increasing the default duration of Area and Purpose Permits to 10 years</li> <li>c) provide a permanent exemption for clearing of previously legally cleared transport corridors</li> <li>d) strengthening environmental data sharing requirements to ensure proponents cannot opt-out of sharing data collected for environmental assessment and monitoring purposes.</li> </ol> </li> <li>2. Ensuring the regulatory system is adequately resourced to:             <ol style="list-style-type: none"> <li>a) implement an expedited process for clearing permits for projects that prevent death and serious injury (road safety), and state and federally funded or co-funded projects</li> <li>b) establish a dedicated Local Government unit within the Department of Water and Environmental Regulation to:                 <ol style="list-style-type: none"> <li>i. case manage Local Government referrals and clearing permit applications</li> </ol> </li> </ol> </li> </ol>



	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<ul style="list-style-type: none"> <li>ii. <i>provide guidance and training for Local Governments, particularly in relation to roadside vegetation management</i></li> <li>iii. <i>support partnerships with Local Governments in strategic environmental offsets</i></li> <li>c) <i>enable timely investigation and enforcement action for illegal clearing</i></li> <li>d) <i>increase investment in the collection and provision of statewide biodiversity data, including:</i> <ul style="list-style-type: none"> <li>i. <i>funding and coordinating a state-wide biodiversity survey program to standardise habitat and vegetation mapping</i></li> <li>ii. <i>making biodiversity data more discoverable, accessible and useable.</i></li> </ul> </li> </ul> <p>3. <i>Undertaking bioregional planning for native vegetation management, with a focus on highly cleared areas and implementing strategic solutions for environmental offsets that can be utilised by Local Government.</i></p> <p>4. <i>Working with the Australian Government to reduce duplication between the Environmental Protection Act 1986 and the Environment Protection and Biodiversity Conservation Act 1999.</i></p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• The effectiveness, cost and complexity of the regulatory system for native vegetation clearing has been a longstanding concern for Local Governments, particularly in relation to its impacts on the delivery of road and other infrastructure projects.</li> <li>• WALGA has made numerous representations and submissions to the State Government on this issue.</li> <li>• WALGA's current advocacy positions relating to the regulation of clearing of native vegetation were endorsed by State Council in 2004 (5.2.1) and 2006 (5.2.2).</li> <li>• Numerous reviews and significant legislative and policy changes aimed at streamlining regulatory requirements have occurred since that time which has resulted in some improvement, however, problems persist.</li> <li>• The updated Advocacy Position, seeks to respond to feedback and issues raised by the sector, calls the State Government to:             <ul style="list-style-type: none"> <li>○ implement <b>legislative, policy and process changes</b>, including the imposition of statutory timeframes for assessments and appeals; increasing the duration of clearing permits;</li> </ul> </li> </ul>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p>providing a permanent exemption to enable clearing in previously legally cleared transport corridors; and strengthening environmental data sharing requirements.</p> <ul style="list-style-type: none"> <li>○ allocate <b>adequate resources</b> to implement an expedited process for road safety and state and federally funded or co-funded projects; a dedicated Local Government unit to process applications and support the sector; timely compliance and enforcement action; and implement a state-funded collection and provision of data.</li> <li>○ undertake bioregional planning and implement strategic solutions for environmental offsets for Local Government.</li> <li>○ <b>reduce duplication</b> between the State and Australian government regulatory systems.</li> </ul> <ul style="list-style-type: none"> <li>● At their joint meeting on 24 March, the Environment and Infrastructure Policy Teams recommended that State Council endorse the Native Vegetation Clearing Regulations advocacy position.</li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li>● WALGA Native Vegetation Clearing Regulations Issues Paper</li> <li>● Road Safety Briefing Note</li> </ul> <p><b>POLICY IMPLICATIONS</b></p> <p>This item is to replace existing Advocacy Positions 5.2.1 Environmental Protection Act and 5.2.2 Land Clearing in Road Reserves with a new <i>Native Vegetation Clearing Regulations</i> position.</p> <p>The current Advocacy Positions are as follows:</p> <p><b>5.2.1 Environmental Protection Act</b></p> <p><i>Impact on Road Reserves Position Statement. The Local Government sector supports continued advocacy to minimise the impact on road reserves and in regards to Regulations, processing times, access to vegetation data and a Code of Practice on maintenance activities.</i></p> <p><b>5.2.2 Land Clearing in Road Reserves</b></p> <p><i>The Local Government sector supports Schedule 2 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 as a permanent exemption for the maintenance of existing transport corridors and supports the continued advocacy for improvements to processing and timelines of the current clearing legislation.</i></p> <p>The proposed Advocacy Position is as follows:</p>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p><b><i>Native Vegetation Clearing Regulations</i></b></p> <p><i>WALGA calls on the Western Australian Government, in consultation with Local Government, to undertake legislative and policy reform to improve the effectiveness, efficiency and transparency of the regulatory system for clearing native vegetation in Western Australia, including:</i></p> <ol style="list-style-type: none"> <li><i>1. Amending the Environmental Protection Act 1986 and associated regulations to remove unnecessary process, complexity and improve timeframes, including:</i> <ol style="list-style-type: none"> <li><i>a. introducing statutory timeframes for the determination of referrals, permit applications and appeals</i></li> <li><i>b. increasing the default duration of Area and Purpose Permits to 10 years</i></li> <li><i>c. provide a permanent exemption for clearing of previously legally cleared transport corridors</i></li> <li><i>d. strengthening environmental data sharing requirements to ensure proponents cannot opt-out of sharing data collected for environmental assessment and monitoring purposes.</i></li> </ol> </li> <li><i>2. Ensuring the regulatory system is adequately resourced to:</i> <ol style="list-style-type: none"> <li><i>a. implement an expedited process for clearing permits for projects that prevent death and serious injury (road safety), and state and federally funded or co-funded projects</i></li> <li><i>b. establish a dedicated Local Government unit within the Department of Water and Environmental Regulation to:</i> <ol style="list-style-type: none"> <li><i>i. case manage Local Government referrals and clearing permit applications</i></li> <li><i>ii. provide guidance and training for Local Governments, particularly in relation to roadside vegetation management</i></li> <li><i>iii. support partnerships with Local Governments in strategic environmental offsets</i></li> </ol> </li> <li><i>c. enable timely investigation and enforcement action for illegal clearing</i></li> <li><i>d. increase investment in the collection and provision of statewide biodiversity data, including:</i> <ol style="list-style-type: none"> <li><i>i. funding and coordinating a state-wide biodiversity survey program to</i></li> </ol> </li> </ol> </li> </ol>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p><i>standardise habitat and vegetation mapping</i></p> <p><i>ii. making biodiversity data more discoverable, accessible and useable.</i></p> <p>3. <i>Undertaking bioregional planning for native vegetation management, with a focus on highly cleared areas and implementing strategic solutions for environmental offsets that can be utilised by Local Government.</i></p> <p>4. <i>Working with the Australian Government to reduce duplication between the Environmental Protection Act 1986 and the Environment Protection and Biodiversity Conservation Act 1999.</i></p>
<p><b>8.4</b></p>	<p><b>Submission on the State Recovery Arrangements</b></p>	<p><b>RECOMMENDATION</b></p> <p><b>That the Zone support the WALGA recommendation for State Council Agenda item 8.4 as contained in the State Council Agenda and as provided below.</b></p> <p><b>WALGA RECOMMENDATION</b></p> <p>That State Council endorse the submission to the Department of Fire and Emergency Services on proposed revisions to the State Recovery Arrangements.</p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• The Department of Fire and Emergency Services (DFES) is consulting on revised State Recovery Arrangements via Engage WA Emergency Management. Formal consultation closes Friday, 2 May.</li> <li>• WALGA was granted an extension to enable the draft submission to be included as an Item for Decision in the 7 May State Council Agenda.</li> <li>• The revised arrangements integrate lessons from past recoveries, current best practices, and clarify roles and responsibilities.</li> <li>• There are no significant changes to Local Government roles and responsibilities under the <i>Emergency Management Act 2005</i> and State Emergency Management Framework.</li> <li>• The Commonwealth - State Disaster Recovery Funding Arrangements             <ul style="list-style-type: none"> <li>- Western Australia (DRFA-WA) are not part of the State Emergency Management Framework and are outside the scope of the review.</li> </ul> </li> <li>• WALGA's draft submission was shared with Local Governments and the draft final version incorporates feedback.</li> <li>• WALGA's submission is generally supportive of the revised State Recovery Arrangements, which provide</li> </ul>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p>improved clarity on roles and responsibilities in recovery, particularly for State Government, and clearer arrangements for transitioning from response to recovery and from recovery to business as usual.</p> <ul style="list-style-type: none"> <li>• WALGA's submission highlights the need for State Government investment in streamlined, appropriate and effective funding mechanisms for recovery and resilience building, and the need to ensure adequate support to Local Governments.</li> <li>• The People and Place Policy Team noted the draft submission at its 18 March meeting.</li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li>• Draft State Recovery Arrangements - WALGA submission</li> </ul> <p><b>POLICY IMPLICATIONS</b></p> <p>WALGA's submission on the State Recovery Arrangements is aligned to the following Advocacy Positions :</p> <p><b>8.1 Emergency Management Principles</b></p> <ol style="list-style-type: none"> <li>1. The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.</li> <li>2. The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.</li> <li>3. The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.</li> </ol> <p><b>8.2 State Emergency Management Framework</b></p> <p><i>Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:</i></p> <ol style="list-style-type: none"> <li>1. Protecting people, the economy, and the natural environment from disasters;</li> <li>2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies;</li> </ol>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<p>3. Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;</p> <p>4. Scalability and adaptability that supports Local Governments of varied capacity and capability; and</p> <p>5. Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.</p> <p><b>8.3 Sustainable Grant Funding Model for Emergency Management</b></p> <p><i>Local Government should be empowered to discharge its emergency management responsibilities through sustainable grant funding models that support a shared responsibility and all hazards approach to prevention, preparedness, response and recovery from natural disasters. A sustainable grant funding model for Local Government emergency management:</i></p> <p>1. Empowers Local Governments to undertake proactive approaches to preparedness, prevention, response and recovery;</p> <p>2. Supports the resilience of local communities through capacity-building activities and programs;</p> <p>3. Is responsive to the variations in Local Government resourcing and context; and</p> <p>4. Develops the skills, capacity and capability of the emergency management workforce; and</p> <p>5. Is consistent, flexible, timely, accessible, scalable, strategic and the guidance provided is comprehensive.</p> <p><b>8.11 Local Emergency Management Arrangements (LEMA)</b></p> <p>1. The State Government should fund the implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan endorsed by the State Emergency Management Committee (SEMC).</p> <p>2. A reformed LEMA system should:</p> <p style="padding-left: 40px;">a. Clearly articulate the roles and responsibilities of Local Governments in emergency management;</p> <p style="padding-left: 40px;">b. Simplify the reporting processes and reduce the administrative burden of maintaining compliance;</p>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<ul style="list-style-type: none"> <li>c. Provide a suite of scalable tools and guidance materials that are accessible through an online knowledge hub;</li> <li>d. Build the emergency management capacity and capability of Local Governments through the provision of targeted training, exercising support, human resources and sustainable funding;</li> <li>e. Assist Local Governments to continue to deliver their core business activities and provide public information during an emergency event;</li> <li>f. Improve the connectivity of Local Governments' various risk management and hazard planning processes through an integrated approach; and</li> <li>g. Enable resource sharing and collaboration across the Local Government sector.</li> </ul> <p><b>5.4.3 Betterment (resilience)</b></p> <p><i>The Local Government sector supports increased funding for the replacement or restoration of damaged assets to a more resilient standard following an event.</i></p>
<p><b>8.5</b></p>	<p><b>Health (Public Buildings) Regulations Consultation</b></p>	<p><b>RECOMMENDATION</b>  <b>That the Zone support the WALGA recommendation for State Council Agenda item 8.5 as contained in the State Council Agenda and as provided below.</b></p> <p><b>WALGA RECOMMENDATION</b>  <i>That WALGA endorse the submission on Health (Public Buildings) Regulations Consultation to the Department of Health.</i></p> <p><b>EXECUTIVE SUMMARY</b></p> <ul style="list-style-type: none"> <li>• The Department of Health (DoH) is seeking feedback on the Consultation Paper 2025 Health (Public Buildings) Regulations 1992 (Consultation Paper), which examines whether the Regulations should be repealed without replacement.</li> <li>• Repealing the Regulations is not supported by the sector, as it would impede Local Governments' ability to proactively manage and mitigate public health risks.</li> <li>• Revised Regulations are supported to provide a contemporary, riskbased approach to public building management, eliminating unnecessary building construction requirements and incorporating modern compliance and enforcement tools.</li> </ul>

	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<ul style="list-style-type: none"> <li>• WALGA received an extension of time from DoH to allow the submission to be considered by State Council as part of the May Agenda.</li> </ul> <p><b>ATTACHMENT</b></p> <ul style="list-style-type: none"> <li>• WALGA's submission on the Health (Public Buildings) Regulations Consultation</li> </ul> <p><b>POLICY IMPLICATIONS</b></p> <p>WALGA's submission is consistent with the following WALGA Advocacy Position</p> <p><b>6.6 Building Act and Regulations</b></p> <p><i>Assessments of the effectiveness of building control systems across Australia have recognised that there is diminishing public confidence in the building and construction industry, and that change is required to ensure buildings are safe and perform to expected standards. Now more than ever, the focus is on Local Government building departments to deliver good governance, local leadership and sustainable services that meet the needs of their communities whilst supporting local jobs and economic growth. The Association has the following endorsed positions:</i></p> <ol style="list-style-type: none"> <li>1. Support the retention of Local Government as the primary permit authority in Western Australia for decisions made under the Building Act 2011.</li> <li>2. Supports mandatory inspections for all classes of buildings; however, Local Government should not be solely responsible for all mandatory inspections.</li> <li>3. Advocate for the State Government to urgently prioritise legislative reform that addresses systemic failures in the current building control model and to provide clarification on the role of Local Government in building control to ensure building legislation supports the following objectives:             <ol style="list-style-type: none"> <li>a. Quality buildings that are cost efficient.</li> <li>b. Functional, safe and environmentally friendly buildings.</li> <li>c. Good decision making in all aspects of building.</li> <li>d. Efficiency and effectiveness in building management, administration and regulation.</li> <li>e. Openness and accountability with respect to all building matters.</li> <li>f. Recognition of the rights and responsibilities of all parties in building matters in an equitable manner.</li> </ol> </li> </ol>



	<b>Matters for Decision</b>	<b>WALGA Recommendation</b>
		<ol style="list-style-type: none"> <li>4. Existing and proposed building control related fees and charges to be cost recovery for Local Government.</li> <li>5. WALGA will work with members, state agencies and industry groups to develop training opportunities and to promote the Local Government building surveying profession to ensure sustainability of Local Government building control services.</li> <li>6. WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.</li> </ol>

### Conclusion

The Kimberley Zone noted the report from the WALGA President and the circulated State Council Agenda Items and supported the recommendations in the Matters for Decision contained with the State Council Agenda and acknowledged the items for noting above and the Status Report on State Council Resolutions.

### **Kimberley Regional Group Meeting Minutes - 10 April 2025**

The following items from the Kimberley Regional Group Meeting held 10 April 2025 should be noted by Council:

#### Correspondence

The KRG noted that the correspondence was received and noted that the Chief Executive Officer could be directed on a response if required.

Correspondence in:

Date: 27/03/2025

From: Department of Communities, Regional Housing Workshop Team

Topic: Kimberley Region Housing Workshops

Correspondence out:

Date: 24/03/2025

From: Cr David Menzel, Chair KRG

To: Ms. Divina D'Anna MLA, Member for the Kimberley; Parliamentary Secretary to the Premier

Topic: Congratulations on re-election and appointment as Parliamentary Secretary Premier

Date: 24/03/2025

From: Cr David Menzel, Chair KRG

To: Hon Don Punch MLA, Minister for Aboriginal Affairs; Water; Climate Resilience; South West

Topic: Congratulations on your appointment

Date: 24/03/2025

From: Cr David Menzel, Chair KRG

To: Hon John Carey MLA, Minister for Planning and Lands; Housing and Works;  
Health Infrastructure

Topic: Congratulations on your appointment

Date: 24/03/2025

From: Cr David Menzel, Chair KRG

To: Hon Hannah Beazley MLA, Minister for Local Government; Disability Services;  
Volunteering; Youth; Gascoyne

Topic: Congratulations on your appointment

Date: 24/03/2025

From: Cr David Menzel, Chair KRG

To: Hon Roger Cook MLA, Premier

Topic: Congratulations on your re-election

Date: 24/03/2025

From: Cr David Menzel, Chair KRG

To: Hon Reece Whitby MLA, Minister for Police; Road Safety; Tourism; Great Southern

Topic: Congratulations on your appointment

Date: 24/03/2025

From: Cr David Menzel, Chair KRG

To: Hon Rita Saffioti MLA, Deputy Premier; Treasurer; Transport; Sport and Recreation

Topic: Congratulations on your appointment

Date: 24/03/2025

From Cr David Menzel, Chair KRG

To Hon Stephen Dawson MLC, Minister for Regional Development; Ports; Science and  
Innovation; Medical Research; Kimberley

Topic Congratulations on your appointment

Date: 03/04/2025

From: Cr David Menzel, Chair KRG

To: Hon Hannah Beazley MLA, Minister for Local Government; Disability Services;  
Volunteering; Youth; Gascoyne

Topic Review of the Financial Assistance Grants

Date: 03/04/2025

From: Cr David Menzel, Chair KRG

To: Nick Sloan, CEO WALGA

Topic: Review of the Financial Assistance Grants

Date: 03/04/2025

From: Cr David Menzel, Chair KRG

To: Karen Chappell, President WALGA

Topic Review of the Financial Assistance Grants

## Financial Report

To be table at the July Meeting.

## Formal Presentations

The following presentations were received from key stakeholders:

- Michele Pucci, A/CEO KDC
- Janine Hatch, Director RDA Kimberley
- Josh Lowrie, Assistant Director Australian Bureau of Statistics

### **KDC Presentation:**

That the Executive Team

1. Develop a brief scope of works for KDC for funding (20K) to progress the Kimberley Housing pipeline.
2. Work with the KDC to explore innovative solutions for the Kimberley that may attract government investment interest.

Executive Officer to reach out and invite Hon Melissa Price MP to a KRG meeting.

Executive Officer to keep KRG members informed about any upcoming meetings with politicians. Members to notify the EO if they wish to attend accordingly.

Executive Team to develop a brief scope of works for KDC for funding (20K) to progress the Kimberley Housing Pipeline.

Executive Team to work with the KDC to explore innovative solutions for the Kimberley that may attract government investment interest.

### **KDC Presentation:**

Executive Officer to write to Minister Dawson to raise key issues:

- GROH need to build homes in town
- Status of existing stock – Shire of Broome work:
  - Issue is contrary to requirements under the health act - risk for Local Government
  - Investment needed to ensure assets are safe and habitable
  - Push costs onto local government
  - Shires do fire breaks, cyclone clean ups and rubbish collection

**RDA Presentation:** Shires to circulate ABS job roles when advertised through networks.

## Kimberley Regional Group Annual Report 2023-24

The KRG approved the KRG Annual Report 2023/24 for release.

## Position Paper Rates Exemptions

The KRG

1. Endorsed the Position Paper Rates Exemption April 2025.
2. Approved \$500 to design and to print the Position Paper.

Executive Team to proceed with designing and printing the Rates Exemptions Position Paper.

### 2028 Eclipse Strategic Planning Working Group - KRG Representative

The KRG nominated Vernon Lawrence as the representative for the KDC Regional Working Group for the 2028 Eclipse Strategic Planning.

1. Executive Officer write to Minister Dawson regarding the Tanami Road opportunities
2. Executive Officer and KRG Members to develop a list of priority projects for consideration by the Eclipse Working Group.

### Kimberley Housing Pipeline

The KRG noted the progress of the Kimberley Housing Pipeline Project and took into consideration matters raised by the KDC during their presentation.

Refer item 7 Formal Presentations.

### Federal Budget 2025-26

The KRG noted the outcomes of the Federal budget for the Kimberley.

### Election Strategy Update

The KRG noted:

1. The outcome of the State Election Strategy.
2. That the WA post-election budget will be handed down in June 2025 and further advocacy opportunities will be progressed including meetings with new Ministers
3. That opportunities to advocate for investment will continue during the Federal election campaign.

### Around the Grounds

For information only.

### Kimberley Regional Group Priority Action List

The KRG noted the priority action list progress.

### Executive Officer Report

The Executive Officers Report was received and endorsed. As per Outstanding Actions.

### General Business

#### **Item: KRG Canberra Trip**

Responsible: CEO, Shire of Wyndham East

Comments/ Action Arising:

1. Executive Team and KRG Secretariat to work on possible dates for the Canberra visit and report back to the Members
2. KRG members to advise the key stakeholders they would like meetings with in Canberra.

#### **Item: KRG Executive Assistant attendance at a 3 July development workshop in Perth with the Regional Capitals Alliance of WA**

Responsible: Executive Officer

Comments/ Action Arising: Opportunity for collective professional development for Executive Assistants in Perth.

Item: **Shared Services**

Responsible: Executive Officer

Comments/ Action Arising: A meeting to be organised out of session with the CEOs.

Item: **2025 Developing Northern Australia Conference, Cairns, 22- 24 July 2025**

Responsible: Executive Officer

Comments/ Action Arising: Tickets have been secured for 2 KRG members from each Shire. RDA Kimberley members have agreed to be included in the KRG package.

Item: **North West Defence Alliance – KRG Representative**

Responsible: Executive Officer

Comments/ Action Arising: KRG Secretariat to advise North West Defence Alliance that Geoff Haerewa is no longer a Councillor and that the KRG is working through a process for a replacement representative, and that the Alliance will be advised of the KRG representative in due course.

Item: **Raised by the Shire of Carnarvon - Vote of no confidence in Government Handling of Children at risk.**

Responsible: A/CEO, Shire of Broome

Comments/ Action Arising: Refer Attachment 20 and 2. Executive Team to draft a response.

Item: **Shire of Derby West Kimberley: Level of uncertainty regarding the state of the Council**

Responsible: CEO, Shire of Derby West Kimberley

Comments/ Action Arising: Executive Officer to work with the CEO, Shire of Derby West Kimberley to draft a letter to the DLGSC / Minister requesting that the Department move swiftly to resolve/address the Shire of Derby West Kimberley issues which is also having an impact on the operations of the KRG.

## **CONSULTATION**

WALGA

Kimberley Development Commission

Kimberley Regional Development Australia.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **RISK**

Nil

## **STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.1 Strengthen leadership, advocacy and governance capabilities.

**Prosperity - Together, we will build a strong, diversified and growing economy with work opportunities for everyone.**

**Outcome 9 - A strong, diverse and inclusive economy where all can participate**

**Objective** 9.5 Grow the size and depth of Broome's labour market with improved access to training and development opportunities.

**Place - We will grow and develop responsibly, caring for our natural, cultural and built heritage, for everyone.**

**Outcome 7 - Safe, well connected, affordable transport options**

**Objective** 7.1 Provide safe and efficient roads and parking.

## **VOTING REQUIREMENTS**

*Simple Majority*

### REPORT RECOMMENDATION:

*That Council receives and endorses the resolutions of the Kimberley Zone of Western Australia Local Government Association (WALGA) and the Kimberley Regional Group as attached in the Kimberley Zone of WALGA and Kimberley Regional Group Joint Meeting Minutes of 10 April 2025 en bloc.*

## **Attachments**

1. KIMBERLEY ZONE KIMBERLEY ZONE MINUTES 10 APRIL 2025
2. ADDITIONAL ACTION ITEMS - KIMBERLEY ZONE MINUTES 10 APRIL 2025
3. KIMBERLEY REGIONAL GROUP MINUTES 10 APRIL 2025































































































































































































































































































**9.4.6 MONTHLY PAYMENT LISTING - MARCH 2025**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Finance Officer
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

This report recommends that Council receives the list of payments made under delegated authority, as per the attachment to this report, for March 2025.

**BACKGROUND**

The Chief Executive Officer (CEO) has delegated authority via Delegation 1.2.20 Payments from the Municipal or Trust Funds, to make payments from the Municipal and Trust funds as per budget allocations and in line with applicable policies.

**COMMENT**

The Shire provides payments to suppliers by Electronic Funds Transfer (EFT and BPAY), cheque, credit card or direct debit. Attachment 1 provides a list of all payments processed under delegated authority in March 2025.

**CONSULTATION**

Nil.

**STATUTORY ENVIRONMENT****Local Government (Financial Management) Regulations 1996**

12. *Payments from municipal fund or trust fund, restrictions on making*
  - (1) *A payment may only be made from the municipal fund or the trust fund —*
    - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
    - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
  
13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
  - (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
    - (a) *the payee's name; and*
    - (b) *the amount of the payment; and*
    - (c) *the date of the payment; and*

(d) sufficient information to identify the transaction.

- (3) A list prepared under sub regulation (1) or (2) is to be —
  - (a) presented to the Council at the next ordinary meeting of the Council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

13A. Payments by employees via purchasing cards

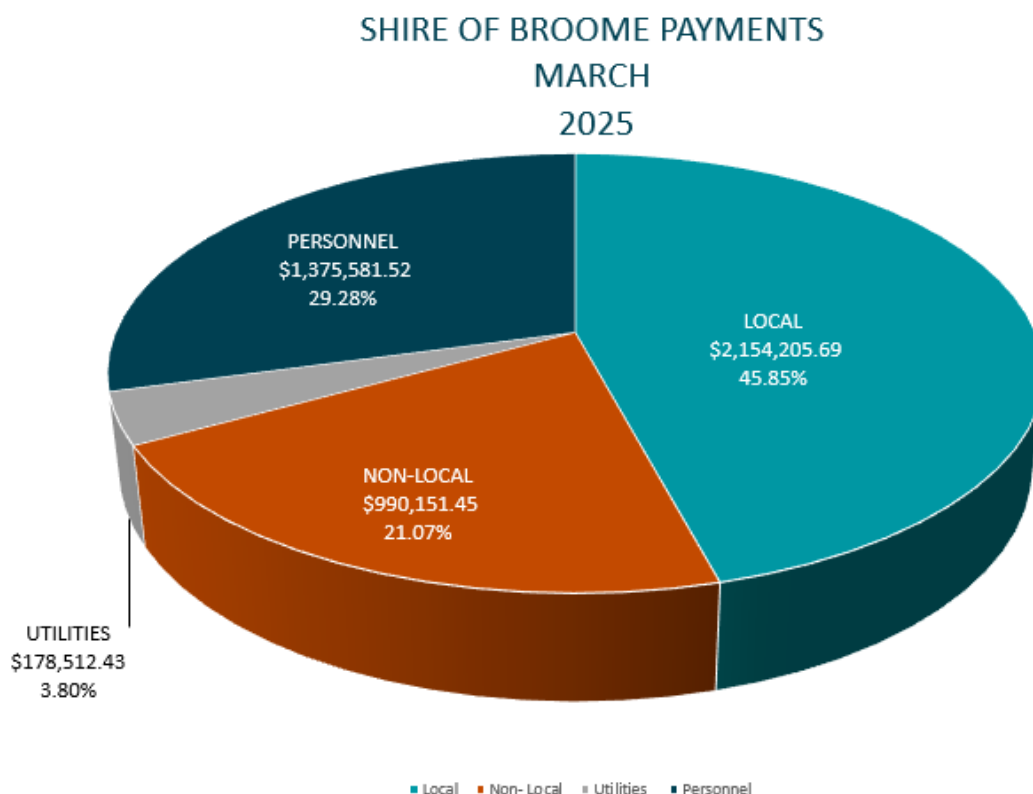
- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment;
  - (d) sufficient information to identify the payment.
- (2) A list prepared under sub regulation (1) must be —
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

**POLICY IMPLICATIONS**

Nil.

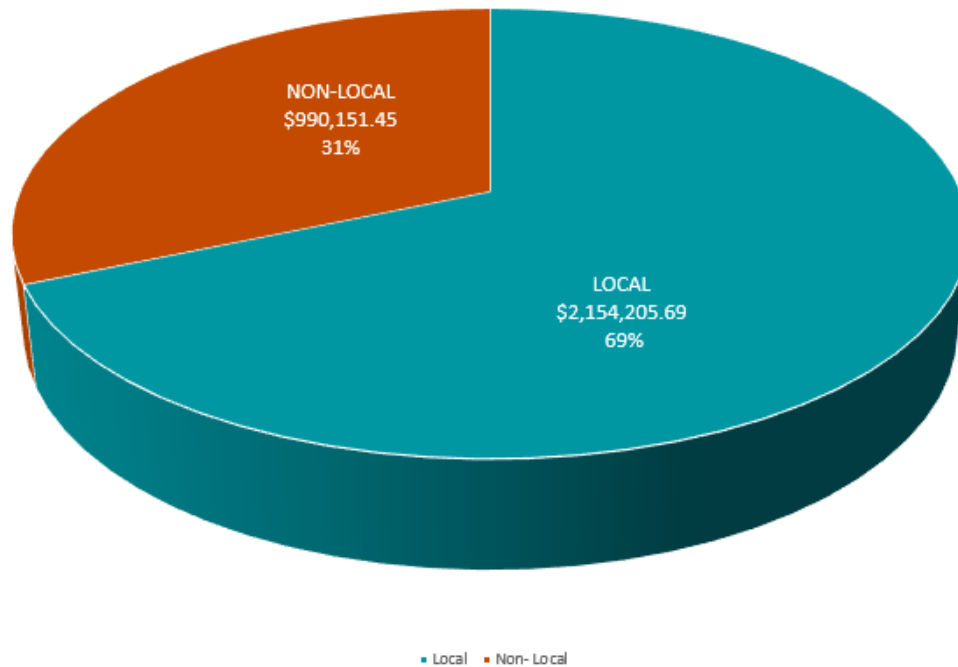
**FINANCIAL IMPLICATIONS**

List of payments made in accordance with budget and delegated authority. Payments can also be analysed as follows:



Note: Personnel payments in this analysis include payroll, superannuation (contained within Direct Debit type payments), payroll tax and other deductions (contained within the EFT Payments type payments).

**LOCAL Vs NON-LOCAL PAYMENTS  
MARCH 2025**



The above graph shows the percentage of local spend in comparison to non-local and recoupable spend for March 2025 after \$1,375,581.52 in personnel payments, \$178,512.43 in utilities and other non-local sole suppliers were excluded.

**YEAR TO DATE CREDITOR PAYMENTS**

The below table summarises the total payments made to creditors year to date:

Month	Cheques	EFT Payments	Direct Debit	Credit Card	Trust	Payroll	Total Creditors
Jul-24	\$ 577.84	\$ 2,589,926.74	\$ 417,706.68	\$ 40,214.86	\$ -	\$ 810,379.14	\$ 3,858,805.26
Aug-24	\$ -	\$ 3,339,215.48	\$ 216,884.00	\$ 44,550.61	\$ -	\$ 811,035.25	\$ 4,411,685.34
Sep-24	\$ 1,522.00	\$ 4,377,814.98	\$ 206,644.31	\$ 30,455.57	\$ -	\$ 871,605.88	\$ 5,488,042.74
Oct-24	\$ 319.90	\$ 3,429,201.48	\$ 321,266.66	\$ 30,283.93	\$ -	\$ 1,253,165.45	\$ 5,034,237.42
Nov-24	\$ 4,500.00	\$ 5,328,066.11	\$ 309,561.39	\$ 40,280.98	\$ -	\$ 846,765.67	\$ 6,529,174.15
Dec-24	\$ -	\$ 5,369,457.99	\$ 525,594.31	\$ 37,847.27	\$ -	\$ 825,236.68	\$ 6,758,136.25
Jan-25	\$ 388.90	\$ 5,167,307.63	\$ 289,099.49	\$ 19,948.17	\$ -	\$ 798,876.19	\$ 6,275,570.38
Feb-25	\$ -	\$ 2,459,287.62	\$ 229,572.09	\$ 39,852.13	\$ -	\$ 825,248.60	\$ 3,553,960.44
Mar-25	\$ -	\$ 3,567,009.20	\$ 266,839.87	\$ 27,168.16	\$ -	\$ 837,433.86	\$ 4,698,451.09
Apr-25							
May-25							
Jun-25							
<b>TOTAL</b>	<b>\$ 7,308.64</b>	<b>\$ 35,627,287.23</b>	<b>\$ 2,783,168.80</b>	<b>\$ 310,601.68</b>	<b>\$ -</b>	<b>\$ 7,879,746.72</b>	<b>\$ 46,608,063.07</b>

**RISK**

The risk of Council not receiving this report is extreme as this will result in non-compliance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.



The likelihood of this ever occurring is rare due to the CEO's implementation of procedures to ensure payment details are disclosed to Council in a timely manner, as well as Procurement and Purchasing policies which ensure these payments are made in accordance with budget and delegated authority and comply with *Local Government (Financial Management) Regulations 1996*.

## **STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 13 - Value for money from rates and long term financial sustainability**

**Objective** 13.1 Plan effectively for short- and long-term financial sustainability

## **VOTING REQUIREMENTS**

*Simple Majority*

### REPORT RECOMMENDATION:

*That Council:*

1. *Receives the list of payments made from the Municipal and Trust Accounts in March 2025 totalling \$4,698,451.09 (Attachment 1) per the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996 covering:*
  - a) *EFT Vouchers EFT78481- EFT779148 totalling \$3,567,009.20;*
  - b) *Municipal Cheque Vouchers 00000 - 00000 totalling \$0.00;*
  - c) *Trust Cheque Vouchers 00000 - 00000 totalling \$0.00; and*
  - d) *Municipal Direct Debits DD34248.11.1- DD34292.9 including payroll totalling \$1,104,273.73*
2. *Receives the list of payments made by credit cards in March 2025, totalling \$27,168.16 (contained within Attachment 1) per the requirements of Regulation 13A of the Local Government (Financial Management) Regulations 1996 covering EFT Vouchers EFT79198 – EFT79226.*
3. *Notes the local spend of \$2,154,205.69 included in the amount above, equating to 69% of total payments excluding personnel, utility, and other external sole supplier costs.*

## **Attachments**

1. Payment Listing Attachment March 2025





































**9.4.7 MONTHLY FINANCIAL REPORT MARCH - 2025**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Accountant
<b>CONTRIBUTOR/S:</b>	Manager Financial Services
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

Council is required under Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* (FMR) to consider and receive the Monthly Financial Report for the period ended 31 March 2025.

**BACKGROUND**

Council is provided with the Monthly Financial Report, which has been prepared in line with statutory reporting obligations and includes the:

- Statement of Financial Activity by nature classifications (satisfying Regulation 34 of the FMR);
- Statement of Financial Position (satisfying Regulation 35 of the FMR);
- Basis of Preparation;
- Statement of Financial Activity Information - the adjustments to the Statement of Financial Activity and Net Current Assets Position which agree to the surplus/deficit position (satisfying Regulation 32 of the FMR); and
- Explanation of material variances to year-to-date budget (satisfying Regulation 34 of the FMR).

Supplementary information has been provided per Regulation 34(2) of the FMR to provide Council with a holistic overview of the operations of the Shire of Broome. The Supplementary Information notes include:

- Cash and financial assets;
- Reserve accounts;
- Capital acquisitions – summarised by asset class, detailed to project, plant disposals;
- Aged payables;
- Borrowings;
- Grants – detailed listing of operating grants, capital grants and contributions; and
- Detailed list of Council adopted Budget amendments – by nature classification.

**COMMENT**

The March 2025 Monthly Financial Report provides an overview of operating and capital project progress. Below are the key indicators of the 2024/25 year-to-date budget position:

<b>Budget Year Elapsed</b>	<b>75%</b>
----------------------------	------------

<b>Total Rates levied</b>	100%
<b>Total Operating Revenue (excluding Rates and Profit on asset disposals)</b>	91%
<b>Total Operating Expenditure (excluding Loss on asset disposals)</b>	65%
<b>Total Capital Revenue</b>	4%
<b>Total Capital Expenditure</b>	24%

For activity categories where progress notably differs from the 75% budget year elapsed, high-level explanations for the variances are provided:

## **Operating Revenue**

### Grants Subsidies and Contributions

\$461,302 less than estimated YTD income (38.22% variance). \$350,000 of funding was budgeted in respect of the Cable Beach Water Park Detailed Design Project however has not been received. Similarly, \$98,000 of funding for the Broome Housing Affordability Strategy Project has not yet been received. These receipts are expected in the coming months. Temporary variance.

### Interest Revenue

\$441,441 greater than estimated YTD income (34.61% variance). Strong term deposit interest rates have resulted in a higher investment yield than forecast, primarily related to reserve account funds. Permanent variance.

### Other Revenue

\$425,759 greater than estimated YTD income (38.69% variance). A reimbursement of \$137,000 was received for a 2023/24 insurance claim, and \$200,000 in additional scrap metal disposal fees were collected. Permanent variance with adjustments proposed in Quarter 3 Finance and Costing Review.

## **Operating Expenditure**

### Materials and Contracts

\$4,645,578 less than estimated YTD expenditure (36.92% variance). \$1.2m has been budgeted for BRAC site remediation and asset rehabilitation works which have not yet commenced. Waste facility contracted recycling services and kerbside collections are \$690,000 under YTD budget however this is a timing issue. Expenditure for Parks and Ovals is currently \$287,000 below budget. Parks and Ovals accounts were reviewed in detail as part of the Quarter 3 Finance and Costing Review. Temporary variance.

### Utility Charges

\$338,657 less than estimated YTD expenditure (17.91% variance). Maintenance of Parks and Ovals is currently \$114,000 under budget. Staff housing utility expense is running \$60,000 under budget due to vacancies in key roles and the new Staff Housing being due to open in the coming months. Timing of invoices for street lighting charges has resulted in a budget variance of \$59,000. Temporary variance.

### Finance Costs

\$72,076 less than estimated YTD expenditure (34.00% variance). \$89,000 was budgeted for interest on loans for the Key Worker Housing Project and Cable Beach Stage 1. These loans are expected to be drawn down in the coming months. Permanent variance with adjustment proposed in Quarter 3 Finance and Costing Review.

## Capital Revenue

### Proceeds from capital grants, subsidies and contributions

\$5,752,863 less than estimated YTD revenue (73.68% variance). There is a timing difference between the budget phasing and the receipt of grant funding for the Cable Beach redevelopment, which is funded through various sources, carrying an impact of \$6m. However, \$352,000 from the Regional Road Group was received earlier than budgeted. Temporary variance.

### Proceeds from disposal of assets

\$322,695 less than estimated YTD revenue (100.00% variance). Periodic renewal of Mobile Plant and Equipment is behind schedule. It is expected that replacement vehicles and equipment will be put into service in the coming months. Temporary variance.

## Capital Expenditure

### Payments for property, plant and equipment

\$2,241,934 less than estimated YTD expenditure (42.72% variance). The Key Worker Housing project tender was awarded in July, and expenditure has commenced. The project is on track to meet the budget, with the current variance of \$1.48m being due to timing. Periodic renewal of Mobile Plant and Equipment is behind schedule causing a timing difference of \$734,000. A detailed capital expenditure schedule can be found at Supplementary Note 5 within the Financial Report. Temporary variance.

### Payments for construction of infrastructure

\$887,131 more than estimated YTD expenditure (7.25% variance). Whilst not a material variance it is noted that Infrastructure works are running at \$878,000 above budget due to timing of invoices received from major contractors in the Cable Beach Redevelopment project. A detailed capital expenditure schedule can be found at Supplementary Note 5 within the Financial Report. Temporary variance.

Variances identified in the attached report are classified as either timing or permanent variances. For permanent variances, adjustments will be proposed during quarterly budget reviews to ensure the budget aligns with projected outcomes. For further details on major variances by activity (Actual vs. Budget), refer to Note 3 in the Monthly Financial Report. For a full list of budget adjustments approved by Council in 2024/25, refer to Note 9 in the Monthly Financial Report.

## Budget Amendments (Absolute Majority Required)

### Sporting Chance Amendment

At the Ordinary Meeting of Council held on 12 December 2024, Council resolved to *Decline the third payment of \$45,000 from the Department of Local Government, Sport and Cultural Industries for the 'A Sporting Chance' Program due to the inability to secure the required matched funding.*

Since that time, the Department — now known as the Department of Creative Industries, Tourism and Sport from 1 July 2025 — has revised the grant conditions for the third year of funding.

The amended terms allow the funding to be used solely for the delivery of school holiday activities targeting at-risk youth.

No matched funding is required under the revised arrangement.

The \$45,000 would be used to partner with local youth agencies, including the PCYC, Broome Youth and Families Hub, and the Western Australian Police, to provide engaging and safe holiday programs. This initiative aligns with key actions identified in both the Shire's Community Safety Plan and Youth Plan.

To facilitate the receipt and use of this funding, it is proposed that Operational Expenditure Account 113674590 and Operational Income Account 113673010 be increased by \$45,000 respectively

## **CONSULTATION**

Nil.

## **STATUTORY ENVIRONMENT**

### **Local Government (Financial Management) Regulations 1996**

- 34(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for the previous month (the "relevant month") in the following detail:*
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
  - (b) budget estimates to the end of the relevant month; and*
  - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and*
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.*
- 34(1B) *The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).*
- 34(1C) *Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.*
- 34(2) *Each statement of financial activity is to be accompanied by documents containing-*
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) such other supporting information as is considered relevant by the local government.*
- 34(3) *The information in a statement of financial activity may be shown according to nature classification.*
- 34(4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*
  - (b) recorded in the minutes of the meeting at which it is presented.*

- 34(5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*
- 35(1) *A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the previous month) and —*
- (a) the financial position of the local government as at the last day of the previous financial year; or*
  - (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.*
- 35(2) *A statement of financial position must be —*
- (a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and*
  - (b) recorded in the minutes of the meeting at which it is presented.*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The attached financial statements summarise the transactions for the 2024/25 financial year. The closing position as of 30 June 2025 may change due to year-end accruals and non-cash adjustments. The final closing position and statements will be provided in the audited annual financial report.

All budget amendments must be approved by an absolute majority of Council.

## **RISK**

The Monthly Financial Report is presented monthly and provides a retrospective picture of the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

In order to mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer (CEO) has implemented internal control measures such as regular Council and management reporting and the quarterly Finance and Costing Review (FACR) process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$5,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in the *Local Government (Financial Management Regulations) 1996 Regulation 5*, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly and monthly checks to ensure that the integrity of the data provided is reasonably assured.

## **STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.****Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.2 Deliver best practice governance and risk management.

**Outcome 12 - A well informed and engaged community**

**Objective** 12.1 Provide the community with relevant, timely information and effective engagement.

**Outcome 13 - Value for money from rates and long term financial sustainability**

**Objective** 13.1 Plan effectively for short- and long-term financial sustainability

**Objective** 13.2 Improve real and perceived value for money from rates.

**Outcome 14 - Excellence in organisational performance and service delivery**

**Objective** 14.3 Monitor and continuously improve performance levels.

**VOTING REQUIREMENTS**

*Absolute Majority*

**REPORT RECOMMENDATION:**

*That Council:*

- 1. Adopts the Monthly Financial Activity Statement Report for the period ended 31 March 2025 as attached; and*
- 2. Approves an increase of \$45,000 to account 113673010 A Sporting Chance Grants – Op Inc – Economic Services Special Projects to recognise the variation in scope of Year 3 of the Sporting Chance program; and a corresponding increase in account 113674590 – A Sporting Chance – Op Exp – Economic Services Special Projects of \$45,000 to reflect the necessary expenditure required.*

**Attachments**

1. Monthly Statement of Activity March 2025































































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<b>10.      REPORTS OF COMMITTEES</b>
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There are no reports in this section.

**11. NOTICES OF MOTION WITH NOTICE**

**12. NOTICES OF MOTION WITHOUT NOTICE**

**13. BUSINESS OF AN URGENT NATURE**

**14. MEETING CLOSED TO PUBLIC**

*This item and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.*

<b>14.1</b>	<b>TRANSFORMING TOWN BEACH - EXPRESSION OF INTEREST</b>
<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	EOI25/03
<b>AUTHOR:</b>	Acting Director Infrastructure Services
<b>CONTRIBUTOR/S:</b>	Senior Property and Leasing Officer Senior Procurement & Risk Officer
<b>RESPONSIBLE OFFICER:</b>	Acting Director Infrastructure Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**  
 This report considers the submissions received for the Transforming Town Beach Expression of Interest and seeks Council's endorsement of proposed path forward.

***This item and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.***

**14.2 RFT24/13 LIGHT/HEAVY PLANT AND MACHINERY MECHANICAL SERVICING AND REPAIRS**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	RFT24/13
<b>AUTHOR:</b>	Manager Waste Services
<b>CONTRIBUTOR/S:</b>	Senior Procurement & Risk Officer Manager Operations
<b>RESPONSIBLE OFFICER:</b>	Acting Director Infrastructure Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

This report considers the submissions received for RFT 24/13 Light/Heavy Plant and Machinery Mechanical Servicing and Repairs and seeks Council's adoption of the recommendation contained within the attached confidential Evaluation Report.

***This item and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.***

**14.3 RFT24/14 SUPPLY OF PLANT HIRE SERVICES (WET & DRY)**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	RFT24/14
<b>AUTHOR:</b>	Manager Waste Services
<b>CONTRIBUTOR/S:</b>	Manager Operations Senior Procurement & Risk Officer
<b>RESPONSIBLE OFFICER:</b>	Acting Director Infrastructure Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

This report considers the submissions received for RFT 24/14 Supply of Plant Hire Services (Wet & Dry) and seeks Council's adoption of the recommendation contained within the attached confidential Evaluation Report.

***This item and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.***

**14.4 RFT 25/01 WALMANYJUN CABLE BEACH FORESHORE REDEVELOPMENT - ENTRANCE ARTWORK**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	RFT25-01
<b>AUTHOR:</b>	Special Projects Coordinator
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Acting Director Infrastructure Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

This report considers the submissions received for the Shire of Broome's Request for Tender RFT25-01 for an artist to design and deliver one major and two minor entrance artworks that form part of the Walmanyjun Cable Beach Foreshore Redevelopment and seeks Council's adoption of the recommendation contained within the attached confidential Evaluation Report.



**15. MEETING CLOSURE**